

THE SOUTH AFRICAN ARCHITECTURAL RECORD

THE JOURNAL OF THE TRANSVAAL, NATAL AND ORANGE FREE STATE PROVINCIAL
INSTITUTES OF SOUTH AFRICAN ARCHITECTS AND THE CHAPTER OF SOUTH AFRICAN
QUANTITY SURVEYORS.

Vol. XIII. No. 52.

SPECIAL CONGRESS NUMBER.

DECEMBER, 1928

CONTENTS.

THE CONGRESS :

First Day ...	91
The Banquet ...	117
Second Day ...	126
Third Day ...	153
Fourth Day ...	185
Fifth Day ...	213

THE S.A. MUTUAL PREMISES COMPETITION, BLOEMFONTEIN ...	218—221
--------------------------------------------------------	---------

THIBETAN ARCHITECTURE. A Sketch. By J. Peel Nelson...	221—223
-------------------------------------------------------	---------

STANLEY FURNER. An appreciation by a Student ...	224
--------------------------------------------------	-----

PROFESSIONAL NOTES AND NEWS ...	225—226
---------------------------------	---------

TOWN PLANNING. By E. H. Waugh ...	226—230
-----------------------------------	---------

PROPERTIES AND FEATURES OF SLATE ...	231—233
--------------------------------------	---------

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DELEGATES TO THE CONGRESS.

Photo by Brittain.

THE SOUTH AFRICAN ARCHITECTURAL RECORD

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DECEMBER, 1928

REVIEW OF THE CONGRESS.

The first Union Congress of Architects and Quantity Surveyors was held in Johannesburg from the 3rd to the 8th of December, and was well attended by delegates from the four Provinces of the Union. The contributions made to the Congress—the formal papers and subsequent discussions—are both numerous and extensive. Some time must elapse before the full purport and effect of this mass of evidence can be fully appreciated. There is no doubt, however, that the Congress was an unqualified success.

In the Regulations of the Architects' and Quantity Surveyors' (Private) Act of 1927, it is laid down that :

"The Council shall convene a joint congress of the members of the Provincial Institutes and the Chapter at least once in every three years." Now, although the first elected Central Council only met for the first time in August of this year, they wisely resolved to put this regulation into effect immediately.

They realised that not only would it give members of the professions the opportunity of fully discussing the many problems which have to be tackled without delay, but also that it would bring together individual members of the professions from the various provinces, and thus develop that feeling of understanding and sympathy which is so essential if our Institute is to be of real value to our respective professions.

From the interest displayed by the Government and Municipal Authorities, the Press, and the public generally, there is sufficient evidence of the universal interest in the Mistress Art to-day and the deep-seated desire to serve her worthily and well.

In all the public speeches and in the columns of the Press emphasis was laid on the importance of our professions to a community and particularly to communities in a new and rapidly developing country like South Africa. Emphasis was also laid on the fact that we are in a state of architectural transition, that owing to the economic conditions and the vast amount of scientific research taking place in the world to-day, building methods and materials are constantly changing, and that we in South Africa must take our place in the march of civilisation and move with the times.

For that reason, particular stress was laid on the question of education as being a matter of international and not only of local concern. It is not possible at this stage to review fully the papers read and the discussions which took place, but it is possible to survey and throw into relief the main features of the ground covered by the Congress.

In his opening remarks the President-in-Chief reviewed the work done by the Central Council since its inception. The professions will ever be grateful for the magnificent spade work carried out by the Council and its predecessors, the Union Registration Committee, and the Inaugural Board. In building up a new institution and particularly one which is governed by an Act of Parliament, the initial work necessitated the giving up of an enormous amount of time and energy.

The professions were particularly fortunate in having the assistance of members who had not only fathered the Transvaal Act through Parliament in 1909, but had also had a good deal of experience in the working of that Act.

In this connection one cannot refrain from mentioning the names of the members of the Union Registration Committee, which was composed as follows :—

Messrs. A. T. Babbs, D. M. Burton, J. S. Cleland, J. S. Donaldson, F. L. H. Fleming, M. J. Harris, F. D. Hickman, R. Howden, T. Moore, Harold Porter, W. E. Puntis, Walter Reid, W. A. Ritchie Fallon, D. M. Sinclair, C. P. Walgate and Allen Wilson, with M. K. Carpenter as Secretary. These gentlemen were not only responsible for the drafting of our Act, but also for following it up in its various stages through Select Committee and Parliament, in altering and amending it, in discussing it in detail with the various Parliamentary and Legal Advisers and finally in drawing up the Regulations with Members of Parliament on the Inaugural Board. Only those who came in close contact with this Committee can appreciate the vast amount of work that was necessitated.

The Congress was officially opened by the President-in-Chief in the Board Room of the Chamber of Commerce, Johannesburg, and the delegates were officially welcomed by the Mayor of Johannesburg, on behalf of the City of Johannesburg.

After a discussion on the President-in-Chief's report the first paper was read by Mr. N. T. Cowin, dealing with the "Scale of Professional Charges."

This provoked a great deal of discussion centering round Clause 89 (e) of the Regulations dealing with unprofessional conduct which reads as follows:—"to deviate from by charging less than the charges laid down in regulations Nos. 97 and 98 of these regulations without notifying his Provincial Institute or the Board of his intention to do so and the extent of such deviation."

Mr. Cowin proposed that this clause should be deleted. While it was felt by many that this clause was subject to a great deal of abuse by members of both professions, the majority considered that it would act as a deterrent and it was finally agreed to allow it to remain.

Dr. Reitz's considered opinion on the Regulations in respect of Unprofessional Conduct in regard to sharing fees, was dealt with very fully by Mr. T. Moore.

Here again the discussion proved of value in bringing to light the varied practice adopted in the different provinces with respect to the taking out of Quantities.

Mr. Cowin's paper on the second day dealt with "Government Architectural Work" and created a great deal of interest, especially the originality of his suggestion, that a panel of "King's Architects" should be established, on all fours with the legal practice of creating King's Counsel.

The question of Government Architectural work has always been a sore point with members of both professions and was very fully discussed.

It was unanimously resolved that the matter should be taken up by the Central Council with the Government and other Public Bodies without delay.

Tributes were paid by many delegates to the high standard of work carried out by the Public Works Department, but it was generally felt that this monopoly in the carrying out of Government Architectural work, consisting as it does chiefly of important public buildings, was unfair to the private practitioner and very discouraging to the highly trained young South African Architect. In perhaps no country in the world does a similar state of affairs exist to-day and whilst it is generally admitted that conditions were such in the early days of this country's development as to warrant a Government Department carrying out such important work, the time has now arrived when many capable and efficient practitioners are available for the purpose.

Mr. T. G. Ellis presented an excellent paper on "Professional Ethics," which brought home to delegates the evils which may and do obtain in our professions when practised by unscrupulous individuals.

It was generally agreed that the present state of affairs in this respect was unsatisfactory and should be considered by the Central Council without delay.

The question of "Architectural Competitions" was very fully discussed and conditions drafted by the Central Council were circulated to members. It was strongly felt that the methods obtaining in the past have had very unsatisfactory results and have involved members of the profession in a needless waste of time and expenditure.

The system of holding a preliminary competition in the first instance, in which sketch designs only should be called for, was strongly advocated by several delegates. The majority were of opinion that the most satisfactory method of adjudicating a competition was by the competitors themselves on the system of the "Greek vote."

The necessity for the careful selection of a competent assessor in the first place was also duly emphasised. Finally it was decided to submit the various views expressed to the Central Council to assist them in drafting a set of model conditions for the Union.

The question of the reinstatement of Clause 3 (c) in the Act was strongly supported by delegates and it was urged by some that efforts should be made forthwith to approach Municipalities and urge that none but registered Architects should be permitted to sign plans submitted to a local authority. In this connection the matter might well be taken up from the point of view of Public Health and the prevention of slum areas. While it is generally felt that a private individual erecting a house for himself has a perfect right to do what he pleases in the matter he should be forced to give more consideration to his neighbours and the district in which he lives.

It is a somewhat different matter when individuals are building for speculative purposes and offering tempting baits to the unfortunate "man in the street." The majority of these offers, if analysed, could be met with the severest criticisms.

Municipal Authorities should be urged to insist on the employment of registered Architects in all cases in which the building is being erected for commercial or speculative purposes whether as a dwelling, office, warehouse or factory, and more particularly when these buildings are erected in the more restricted factory or business areas of a town.

In cases of this sort a great deal of support would undoubtedly be obtained from Municipal officials and Medical Officers of Health.

The conditions under which people are forced to live and work are constantly being brought to light by Health and Factory Inspectors, under their respective Acts. These unhealthy conditions are due in the main to faulty design in building and to the use of faulty materials. Such buildings are invariably the work of speculative builders or speculators in property who, in erecting a building, merely satisfy themselves that the local by-laws are adhered to. More often than not they are ignored or circumvented. Beyond that these persons have only one interest and that is an immediate and large return on their capital outlay.

The fact that so many of these buildings are sold immediately on completion is in itself indicative of "sharp practice." Many buildings in our large towns are a disgrace to civilisation and it would be a very good thing if lectures and tours of inspection could be arranged for our Town Councillors in order to bring home to them the appalling conditions under which many citizens are forced to live and work.

A paper on "Architectural Education" was read by Professor Pearse and was followed by a fruitful discussion, showing again a great divergence of opinion in this respect.

Properly organised architectural education is much too recent in South Africa to judge of its results, but in the near future, it is hoped, by those who have taken a prominent part in its organisation and teaching, that beneficial results will accrue and that South Africa will take a lead in the field of research.

Mr. Harold Porter gave the Congress an interesting paper on "Town Planning," a subject which has been taken up keenly in the Transvaal and the Cape,

but appears to have awakened little interest outside these two provinces.

It is a subject so inseparably interwoven with the main principles of good architecture that it is hoped the profession throughout the Union will press for its greater recognition by Government and Municipal Authorities. This country is far behind other civilised countries in this matter and the more it is delayed the more serious will be the burden on the taxpayer.

It is a subject which should be near to the heart of all as it seriously affects the lives of all citizens in the Union and incidentally is a means of attracting visitors to the Union.

Important questions dealing with "Conditions of Contract," "Standard System of Measurement," "Municipal Regulations" and "Endorsed Envelopes," were all fully discussed and are being dealt with systematically and well by the Central Council.

It was finally agreed that a similar Congress in the near future was desirable and it was left to the Central Council to decide upon the date and venue.

LIST OF DELEGATES WHO ATTENDED CONGRESS AND SIGNED THE REGISTER

Messrs. J. Archibald (Witbank), N. Brampton (Johannesburg), J. Buckley (Durban), D. M. Burton (Johannesburg), J. M. Burg (Pretoria), A. H. Chandler (Pretoria), J. S. Cleland (Pretoria), R. E. Cole-Bowen (Pretoria), N. T. Cowin (Johannesburg), A. G. Cross (Durban), J. E. T. Day (Pietersburg), C. C. Deuchar (Pretoria), J. B. Dey (Pretoria), J. S. Donaldson (Johannesburg), S. C. Dowsett (Johannesburg), F. O. Eaton (Port Elizabeth), Miss N. Edwards (Johannesburg), Messrs. T. G. Ellis (Pretoria), W. A. Ritchie Fallon (Capetown), E. B. Farrow (Johannesburg), F. L. H. Fleming (Johannesburg), A. S. Furner (Johannesburg), A. D. Gordon (Johannesburg), J. Lockwood Hall (Pretoria), J. Lockwood Hall, Junr. (Pretoria), W. Rhodes Harrison (Bloemfontein), F. D. Hickman (Johannesburg), P. J. Hill (Johannesburg), R. Howden (Johannesburg), G. T. Hurst (Durban), W. Hynd (Pretoria), R. H. Jones (Capetown), E. C. Keenor (Johannesburg), D. J. Laing (Johannesburg), Stakesby

Lewis (Johannesburg), W. J. McWilliams (Port Elizabeth), D. A. McCubbin (Johannesburg), Sutherland Millar (Johannesburg), T. Moore (Pretoria), J. P. Nelson (Johannesburg), W. B. Turner Newham (Pretoria), R. W. Norburn (Pretoria), L. Norman (Capetown), D. L. Nurcombe (Johannesburg), W. S. Payne (Durban), Alex Pease (Pretoria), G. E. Pearse (Johannesburg), J. Pinker (Durban), E. M. Powers (Durban), Harold Porter (Johannesburg), W. H. Priestley (Durban), W. E. Puntis (Pretoria), V. S. Rees Poole (Pretoria), W. Reid (Johannesburg), H. Rowe Rowe (Johannesburg), T. A. Russell (Pretoria), B. Rutgers (Pretoria), C. M. Schrewe (Potchefstroom), W. A. Schwartzel (Pretoria), D. M. Sinclair (Johannesburg), H. W. Spicer (Johannesburg), R. T. Spottiswoode (Pretoria), W. G. Thompson (Durban), J. H. Vincent (Johannesburg), W. F. Waldeck (Bloemfontein), F. Williamson (Johannesburg), R. Wild (Johannesburg), T. W. Wilson (East London), Allen Wilson (Johannesburg).

FIRST UNION CONGRESS OF ARCHITECTS AND QUANTITY SURVEYORS.

HELD AT JOHANNESBURG, DECEMBER 3rd to 7th, 1928.

PROGRAMME.

Monday, December 3rd.

10 a.m.—The Congress assembled at the Chamber of Commerce Board Room, Market Street, Johannesburg, and was officially opened by the President-in-Chief.

The President-in-Chief read his Report to Congress.

11.30 a.m.—His Worship the Mayor of Johannesburg (Councillor Wilfrid Fearnhead), on behalf of the City of Johannesburg, officially welcomed the Delegates.

Mr. N. T. Cowin's paper, on "The Scale of Charges," was read and discussed.

Discussion of items on the Agenda.

7.30 p.m.—A Banquet was held at the Carlton Hotel.

Tuesday, December 4th.

At the Chamber of Commerce Board Room.

10 a.m.—Mr. N. T. Cowin's paper on "Government Architectural Work," was read and discussed.

Mr. T. G. Ellis read a paper on "Professional Ethics," which was discussed.

Discussion of items on the Agenda.

8 p.m.—The delegates were entertained by His Worship the Mayor and the City Councillors at a "Cabaret," at the Selborne Hall.

Wednesday, December 5th.

At the University of the Witwatersrand,
Johannesburg.

10 a.m.—The delegates were officially welcomed by the Principal, Mr. H. R. Raikes.

Professor G. E. Pearse's paper on "Architectural Education" was read, followed by discussion.

An exhibition of students' work was on view.

Discussion of items on the Agenda.

Thursday, December 6th.

At the University of the Witwatersrand.

Mr. Harold Porter read a paper on "Town Planning" which was followed by discussion. An exhibition of Town Planning projects, chiefly in the Union was on view.

Friday, December 7th.

All-day visit to Pretoria.

9 a.m.—At Zwartkopjes Aerodrome, where delegates were received by Lt.-Col. van der Spuy, M.C., and taken up for flights.

10 a.m.—Reception by the Minister of Public Works and the Staff of the P.W.D. at the Union Buildings.

12 noon.—Visits to places of interest.

1 p.m.—Lunch at Polley's Hotel, Pretoria.

2.30 p.m.—Official welcome at the Town Hall, by His Worship the Mayor of Pretoria (Councillor F. Day).

3 p.m.—Visits to the Swimming Baths and "Kirkness" Brick and Tile works.

4.30 p.m.—Tea at the Kiosk, Fountain Valley, where the delegates were entertained by the Mayor and Councillors of Pretoria.

THE INSTITUTE OF SOUTH AFRICAN ARCHITECTS.

THE CENTRAL COUNCIL.

PERSONNEL, 1928.

Elections to Membership of the Central Council by Provincial Institutes and Chapter.

President-in-Chief : Robert Howden, F.R.I.B.A.

Vice-President-in-Chief : W. A. Ritchie Fallon, A.R.I.B.A.

Cape Provincial Institute :—

W. A. Ritchie Fallon, A.R.I.B.A., P.O. Box 120, Capetown ; (Alternate, G. E. Gordon Leith, A.R.I.B.A., P.O. Box 3590, Johannesburg) ; C. Percival Walgate, A.R.I.B.A., A.R.C.A., The Rhodes Building, St. George's Street, Capetown ; (Alternate, F. Williamson, A.R.I.B.A., P.O. Box 1603, Johannesburg).

O.F.S. Provincial Institute :—

Fred W. Masey, Lic.R.I.B.A., 115, St. Andrew Street, Bloemfontein ; (Alternate, H. G. E. de la Cornillere, Provost Chambers, Bloemfontein).

Natal Provincial Institute :—

W. S. Payne, A.R.I.B.A., Chancery Lane, Smith Street, Durban ; (Alternate, E. M. Powers, F.R.I.B.A., Southern Life Building, Smith Street, Durban).

Transvaal Provincial Institute :—

Allen Wilson, F.R.I.B.A., 18, Milan Court, Kerk Street, Johannesburg ; (Alternate, N. T. Cowin, F.R.I.B.A., 51, Standard Bank Chambers, Johannesburg) ; Robert Howden, F.R.I.B.A., P.O. Box 2366, Johannesburg ; (Alternate, J. Lockwood Hall, F.R.I.B.A., P.O. Box 276, Pretoria) ; D. M. Sinclair, F.R.I.B.A., P.O. Box 4492, Johannesburg ; (Alternate, Harold N. Porter, Lic.R.I.B.A., P.O. Box 2527, Johannesburg) ; F. Williamson, A.R.I.B.A., P.O. Box 1603, Johannesburg (Alternate, J. S. Donaldson, F.R.I.B.A., P.O. Box 1705, Johannesburg).

Chapter of S.A. Quantity Surveyors :—

H. G. Labdon, F.S.I., The Rhodes Building, St. George's Street, Capetown ; (Alternate, F. D. Hickman, P.A.S.I., Stanley House, Commissioner Street, Johannesburg) ; T. Moore, F.S.I., 32, Connaught Building, St. Andries Street, Pretoria ; (Alternate, W. G. Thompson, F.S.I., P.O. Box 500, Durban).

Chief Government Architect :—

J. S. Cleland, O.B.E., F.R.I.B.A., Public Works Dept., Union Buildings, Pretoria ; (Alternate, C. C. Deuchar, A.R.I.B.A., Public Works Dept., Union Buildings, Pretoria).

Chief Government Quantity Surveyor :—

W. E. Puntis, Lt.-Col., O.B.E., V.D., F.S.I., Public Works Dept., Union Buildings, Pretoria ; (Alternate, W. M. Warne, F.S.I., Public Works Dept., Union Buildings, Pretoria).

Registrar :— J. S. Lewis.

P.O. Box 7322, Stanley House,
Johannesburg,

PROVINCIAL COMMITTEES.

Cape Provincial Committee :—

C. P. Walgate, President ; W. A. Ritchie Fallon, Vice-President ; Committee, G. Angelini, W. J. Delbridge, L. A. Elsworth, W. G. Fagg, W. Hawke, F. K. Kendall, Hubert L. Roberts. Secretary, P. Milne Duncan, St. George's House, St. George's Street, Capetown.

Free State Provincial Committee :—

H. G. de la Cornillere, H. A. C. Wallace, J. E. Fitt, J. H. B. Mason, Fredk. W. Masey, Hon. Secretary, 115, St. Andrew St., Bloemfontein.

Natal Provincial Committee :—

E. M. Powers, F.R.I.B.A., President ; W. B. Oxley, A.R.I.B.A., Vice-President ; F. J. Ing, F.R.I.B.A., R. N. Jackson, A.R.I.B.A., W. S. Payne, A.R.I.B.A., W. G. Moffat, F.R.I.B.A., G. T. Hurst, L.R.I.B.A., W. J. Paton, F.R.I.B.A., H. E. Chiek. T. H. Chaplin, Secretary, P.O. Box 777, Durban.

Transvaal Provincial Committee :—

F. Williamson, A.R.I.B.A. (President), H. N. Porter, L.R.I.B.A. (Vice-President), Prof. G. E. Pearse, A.R.I.B.A. (Vice-President), N. T. Cowin, M.B.E., L.R.I.B.A., J. S. Cleland, F.R.I.B.A., C. C. Deuchar, A.R.I.B.A., J. S. Donaldson, F.R.I.B.A., S. C. Dowsett, F.R.I.B.A., J. Lockwood Hall, F.R.I.B.A., Robert Howden, A.R.I.V.A., F.R.I.B.A., D. M. Sinclair, F.R.I.B.A., Allen Wilson, F.R.I.B.A. Secretary A. S. Pearse, 67, Exploration Building, P.O. Box 2266, Johannesburg.

Board of the Chapter of S.A. Quantity Surveyors :—

H. Rowe Rowe, President ; Lt.-Col. W. E. Puntis, Senior Vice-President, W. G. Thompson, Junior Vice-President ; Members : E. B. Farrow, F. D. Hickman, R. Howden, H. G. Labdon, D. J. Laing, T. Moore, W. F. Ritchie Fallon, A. W. Springthorpe, S. Waters. Secretary, D. C. McCulloch, Aegis Building, Johannesburg.

THE INSTITUTE OF SOUTH AFRICAN ARCHITECTS. FIRST CONGRESS.

AGENDA.

1. Items referred to Congress by Central Council.
2. "The Scale of Charges."—N. T. Cowin.
3. "Provision of Permanent Headquarters with Club Facilities and Reference Rooms."—D. L. Nurcombe.
4. "General Adoption of Standard System by Members of the Institute and the Chapter."—F. D. Hickman.
5. "Dr. Reitz's considered opinion on the Regulations in respect of Unprofessional Conduct in regard to Sharing Fees."—T. Moore.
6. "Standard Conditions of Contract," "Tenders in Endorsed Envelopes," "Specified Schedules of Quantities."—W. A. Ritchie Fallon.
7. "Professional Ethics."—T. G. Ellis.
8. "Alteration of the Initials used by Members, from 'M.I.A.' to 'M.I.S.A.A.,' the former not being geographically descriptive."—G. T. Hurst.
9. "Ventilation of Drains."—J. Pinker.
10. "Competitions."
11. "Salaried Architects and Competitions."—W. F. Waldeck.
12. "What Protection does the Institute give against Plans, etc., of non-members?"—P. G. Kuschke.
13. "Cape Provincial Administration and Fees for Quantity Surveyors."—W. J. McWilliams.
14. "Municipal Regulations."—R. H. Jones.
15. "'Owner' Architects who are not Architects."—C. H. Edwards.
16. "Formation of Local Branches."—John Pike.
17. "Supervision."—N. Edwards.
18. "Architects' Journal."

THE CONGRESS.

FIRST DAY, 3rd DECEMBER, 1928.

The Congress being assembled in the Chamber of Commerce Board Room, Johannesburg, the President-in-Chief, Mr. R. Howden, formally welcomed the visiting delegates to Johannesburg.

The President-in-Chief: Gentlemen, I have very much pleasure in declaring this Congress duly constituted and now open. Before going any further, I would ask you to agree to the following resolution:

"That this Congress is deeply concerned at the disquieting news of His Majesty's health, and expresses the sincere trust that he may soon show considerable signs of improvement which will lead to a speedy recovery."

The resolution was unanimously adopted.

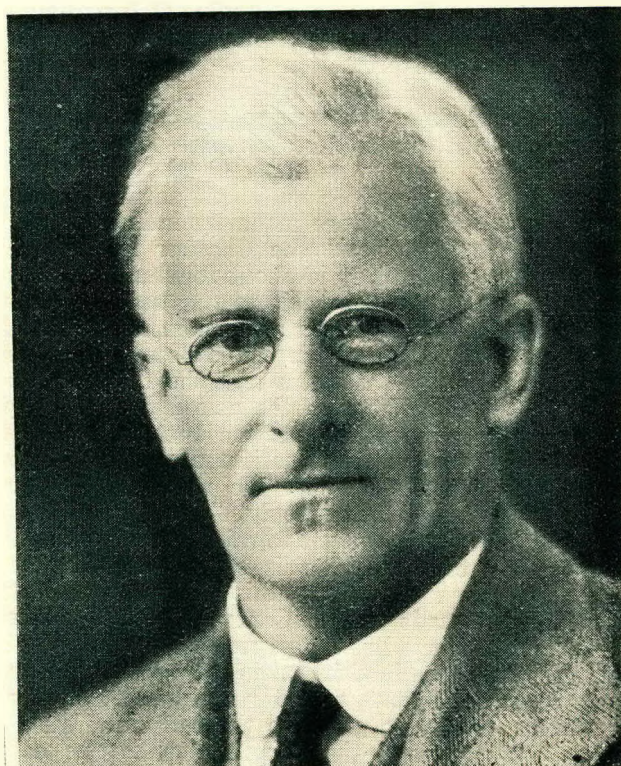
Now, gentlemen, I have very much pleasure in welcoming you as delegates, on behalf of the Central Council and the Institute of South African Architects and Quantity Surveyors. This Congress is, I think, the first organised body of its kind that has ever been held in South Africa, representing the Architects and Quantity Surveyors of the Union. However, I am quite certain of this, that it is the first Congress held under the Regulations of our new Act. The Regulations state very little about the particulars in connection with a Congress, and it is more or less for you to decide what should be done in the future. The Congress must be held at least once in three years. The Central Council will be very pleased to have a resolution from this Congress as to whether you desire it to be held once a year, once every two years, or once every three years. I feel sure that before this Congress has finished its labours, you will pass a resolution that you are so satisfied, that you consider it should be held every year. Then, of course, you will have to decide at which centre the next Congress will be held. As I say, there is not much in the Regulations regarding the constitution of this Congress, but I would suggest that any resolutions passed at this Congress should be in the nature of recommendations to your Central Council. The Congress of itself has no power to act, but it has this power, that it may pass a resolution as representing the Members of the Institute, with a recommendation to the Central Council to act thereon.

You have before you the Programme and Agenda. We will endeavour at the beginning of each day to give you the full particulars of that day's programme, but in the meantime there are one or two items it is necessary to bring to your notice.

Regarding to-day's programme, the first item is a report by the President-in-Chief of items referred to Congress by the Central Council. Well, gentlemen, I will try and give you a brief resumé of some of the most important items that the Central Council have been dealing with since first elected. As you know,

the Central Council is a body representative of the respective Provincial Institutes and the Chapter; the numbers on the Central Council are *pro rata* to the numbers on the Register and Roll of each Provincial Institute and the Chapter; so that the representation on the Central Council is fair in that respect. At the present moment the Central Council consists of twelve members, four from the Transvaal Provincial Institute, two from the Cape, one from Natal, one from the Free State, two from the Chapter and two Government nominees.

The Central Council has had a considerable amount of work to do since elected, chiefly dealing with matters of a Union nature. One of the important matters it has been dealing with has been the question of examinations. Just a week ago we have at last arranged with the Minister of Education this question of examinations, in regard to the qualifications as provided for in the Act. This has been delayed for several reasons. We had first of all to approach the Minister of the Interior, in terms of the Act. Then the functions of the Minister of the Interior, so far as the question of examinations was concerned, were transferred to the Minister of Education's Department. Our negotiations involved several deputations to Pretoria and I cannot



MR. R. HOWDEN.

First President-in-Chief,

South African Institute of Architects.

say that it was absolutely smooth working from start to finish. But nevertheless I think we can safely say that the results attained at the present moment with the Minister of Education are more or less on the lines of the request we sent him in the earlier stages.

Another important question arising is in regard to new Regulations under the Act. The Central Council will be only too pleased to receive any recommendations from any members regarding any disabilities experienced, or what in their opinion might be improvements to the existing regulations. We have discovered one particular point in the Regulations which we do really consider a disability, and we do not think it was really ever intended, that is, the Regulations at present do not permit an Architect to be in partnership with a Land Surveyor or an Engineer. We are now making provision, through an application to the Minister of the Interior, that that Regulation should be altered so that it will be competent for an Architect to enter into partnership with a Land Surveyor or a qualified Engineer.

The Federation of Master Builders, of course, have kept us busy since the beginning of the Central Council. I see this will be dealt with under Item 6 of the Agenda, "Standard Conditions of Contract," or "Tenders in Endorsed Envelopes," by Mr. Ritchie Fallon, and there will no doubt be a very full discussion on these questions.

Another point is the question of subscriptions. As most of you know—I guess you do know—we doubled the subscriptions for the first year. The object of doubling that subscription was mainly to enable the Central Council to assist the Provincial Institutes and the Chapter in liquidating the amounts which they had subscribed for the promotion and passing of the Act. Now this has been more or less successfully done, though the whole of the moneys subscribed by the respective Institutes and the Chapter have not been accounted for. But it so happens that the increased subscriptions have yielded sufficient funds to pay for the actual loans that were made by individuals to the respective Institutes and the Chapter in connection with the Act. I think it is about fourteen shillings in the pound that we will be able to pay back so far, and the question is, whether you gentlemen desire that the remaining six shillings in the pound should be obtained to pay back to the Institutes and the Chapter when, in fact, that six shillings in the pound practically goes into the coffers of the respective Institutes and the Chapter. If the various Institutes and the Chapter say to the Central Council, "We want that money," the Central Council must reply, "Yes, you can have that money, but we have got to raise your subscriptions in order to get it." That is a point, gentlemen, I think might be discussed by this Congress, and a recommendation made to the Central Council, although the Central Council itself has practically decided that it would not be justified in raising the subscriptions of members for the ensuing year for the purpose of obtaining further money to put into the coffers of the Provincial Institutes and the Chapter, when the actual donors who had provided the money will really be paid back 100 per cent.

There is one important point I think this Congress might discuss—I see it is on the Agenda: No. 12, "What protection does the Institute give against plans, etc., of non-members?"—to get over the difficulty of protecting the practice of the Architect. Now, as you all know, in the early stages of the Bill we had what was called Clause 3 (c) in the Bill. Clause 3 (c), I might say, was thrown out by Parliament. Clause 3 (c), of course would have protected the practice of the architect in the way we had intended. Now it has been suggested that, failing Parliament granting us the reinstatement of Clause 3 (c), we fall back on Municipalities, with regard to their only passing plans signed by registered architects. It is suggested if that were done throughout the country, that would more or less be an equivalent position to the advantages we would have obtained by Clause 3 (c). I think that is certainly a matter that might be discussed by Congress and a recommendation to the Central Council made in connection with it.

You will be pleased to learn that Port Elizabeth has created a precedent by notifying the Public Prosecutor and taking action against certain individuals for contravening our Act. And they did so, successfully. While I think of it, gentlemen, in previous days the Public Prosecutor always demanded our Register and Roll in connection with a prosecution. Now, for your information, I may say that the Public Prosecutor at Port Elizabeth has established a precedent in asking for and accepting a certificate from our Registrar to the effect that certain persons are not registered as Members of the Institute, thus saving the necessity of our sending down the Register and Roll, and perhaps the Registrar with them. Now with regard to this prosecution at Port Elizabeth, the Local Committee there discovered that certain men were calling themselves Architects who, they ascertained, were not on the Register. Now it is thought by some that that is the duty of the Provincial Institutes or the Central Council, but as a matter of fact, it is not: it is the duty of the Public Prosecutor. It is true that the Public Prosecutor will be greatly assisted if assistance is given to him by the particular Provincial Institute concerned, or the Chapter, or by the Central Council. But the person to take action in connection with the contravention of our Act is the Public Prosecutor; and if the information is given to the Public Prosecutor in any district by anyone, preferably by the Provincial Institute itself or its Committee, as Port Elizabeth did, he must act on it. It is a matter for him and not for us.

I understand that discoveries have been made in other parts of South Africa of similar violations of the Act, but our legal advisers differ somewhat in their advice in this respect. For instance, the legal advisers of one Provincial Institute advised that it would be preferable to give notice to the individual concerned that he is contravening the Act before taking him to Court. It is true that if a second charge were made, a warning having already been given, it would perhaps be of assistance. But Port Elizabeth evidently thought otherwise, and were advised otherwise, for they forthwith obtained two convictions. I did not mention the result of the convictions, which was that the Magistrate considered it a very serious offence, and warned

the persons concerned that if they came before him on a similar charge he would impose the full penalty of £100 under the Act, but in the meantime he fined them ten shillings each.

Now with regard to Competitions: you have that as an item on your Agenda, and I am sure it will be fully discussed. I don't think it is necessary for me at this stage to say more than this, that the Central Council has approved of certain conditions for competitions, and in addition, amendments have been made and are the subject of consideration by the Central Council at the present moment. But distinct conditions have been prepared, and the use and application of these conditions is recommended wherever any promoters are considering the competition question.

With regard to the Journal: the question of the Journal is still open for discussion. Although the Central Council has resolved that it is desirable to have a Journal for the whole Union, rather than separate Journals for the separate provinces, the question is whether the time is quite ripe for it. And also, the success of a Union Journal will be entirely dependent upon the assistance that is rendered from the several provinces. It is hoped that the provinces will take such an interest in the Journal as will make a Journal for the whole of South Africa a great success.

It has been decided, gentlemen, to have a verbatim report taken of all the proceedings of this Congress, from start to finish, and that it be published in the Journal, and that a copy of the Journal (that is, the "Architectural Record") be sent to every member on the Register and Roll.

With regard to Sub-committees, the Central Council has provided for Sub-committees being formed in the smaller outside centres in the provinces. For instance, we have at Port Elizabeth a Sub-committee, which acted in connection with these prosecutions. Therefore, if any body of members in any particular centre feels sufficiently strong to establish a Local Committee, they can apply to their Provincial Institute, and provision is made for such a Committee to be formed. I understand East London has a Local Committee as well as Port Elizabeth, but I think those are the only two formed up to the present.

As to the Scale of Charges, gentlemen: I think that is coming up for debate also, but I don't know whether members are all sufficiently conversant with the exact position with regard to the Scale of Charges in our Act. The Scale of Charges is part and parcel of the law of the country. It is in the Regulations, which have the force of Act of Parliament, and are practically law. In that respect, if an Architect has done the work completely according to the work described in that scale of charges, the Magistrate must award him the amount provided for in the Regulations. Before that we had in some cases to prove to the Magistrate the amount of work done, and he granted his judgment on a *quantum meruit* scale. That is not necessary under our new Regulations. I don't know whether that is duly appreciated, but the Magistrate must give judgment in accordance with the Scale of Charges laid down in our Regulations, provided the work is done to which it refers.

With regard to the transfer of members: I don't know whether that is quite clear to every member. A member, once he is registered in any province, has the right to practise throughout the whole of the Union. He may, if he choose, belong to every Institute in the whole Union, but he must then pay the subscriptions to each of those Institutes to which he may wish to belong. But for the purposes of practice, if he belongs to one Provincial Institute, he has the right to practise throughout the whole Union. I don't think that is clear to all members.

With regard to the Register and Roll, a list is being prepared at the present moment. It has not been possible to prepare this list before, because of the information it has been necessary to obtain; and it is only during the last week that we have received the full information we required to print a complete list of Members throughout the Union. This list will be prepared in booklet form; the membership of each Provincial Institute and the Chapter will be shown separately, under the respective classes, whether salaried or practising, and the titles and addresses. It will, therefore be a complete guide to the membership of the Institute throughout the Union.

With regard to Certificates of Membership: I am afraid we have had complaints regarding these certificates for several months past. It has been a most unfortunate occurrence, gentlemen, but I do not wish to go into that now except to say that the certificates are now ready and can be obtained on application to the Registrar.

Copies of the Act and Regulations are here provided for the use of delegates during the Congress.

I would suggest, gentlemen, in carrying on the discussions for the first day, at all events, that as each member rises to speak, he will mention his name and the particular town he comes from. There are so many strange faces amongst us, that I am sure that will help us all.

There is one matter I have forgotten to mention. Mr. Carpenter, who was with us for some considerable time, unfortunately did not see his way clear to carry on with us. Mr. Carpenter resigned, and we have since obtained the services of Mr. Lewis, who has proved a very able Registrar.

Finally, gentlemen, we shall be very pleased to answer any questions. Now is the time to mention any grievances you may have, and if you, assembled in Congress, make any recommendations to the Central Council, I can assure you that the Central Council will be only too pleased to give its fullest consideration to your recommendations. Thank you, gentlemen.

Mr. W. J. McWILLIAMS (Port Elizabeth): Mr. President and Gentlemen: I would like, on behalf of the members present to express their high appreciation of the excellent exposition the President-in-Chief has just given us of the matters that are coming before the Congress and of the work of the Central Council up to the present. I, for one, living at a considerable distance from your centre, feel that an enormous amount of work has been put in. And the framing of these

Regulations alone—I think they meet with general approval, they do with mine, in the main, is evidence of a vast amount of study; and goodness only knows how on earth you gentlemen have found the time to do it as you have done. I think there is very little that anybody can find to carp at. The passing of the Act was a great joy to every Architect in the Union, notwithstanding the elimination of that famous Clause 3 (c). But there is one point, sir, I would like to ask in connection with the fees. You mentioned just now that the Scale of Charges was the basis on which fees were to be charged, and that was the law of the land. But I notice, if you read the Act, you will find that there is a very unfortunate little insertion that affects the whole position, that is, the matter "Except by special agreement." I would like to know exactly what view the Central Council takes of that. Then another point I wish to mention was that, in the framing of the Register, I would suggest that, in conformity with the practice of the Royal Institute, that members should be given a serial number on the Register, so that in the case of two names which may be similar with similar initials, one can at any time trace the correct person.

THE PRESIDENT-IN-CHIEF: May I take this opportunity of replying to Mr. McWilliams? Regarding the numbers on the certificates: each member has a number on the Register or Roll, with that number reproduced on the certificate of membership. I think that will get over the difficulty you raise. Regarding fees: it is true in connection with the fees that if two individuals have an arrangement, a special agreement, then, of course, these fees do not come into operation. Where no arrangement has been made, then the Magistrate must accept this scale of fees; but any arrangement or agreement made takes preference over any charges that are laid down in the Act. And the very fact that it says: "In the absence of special agreement," implies that the Act anticipated that special agreement would be made in certain cases. But the Magistrate would apply this scale of fees to every case where no special agreement is made.

Mr. McWILLIAMS: May I speak again? I would like to ask, would it not be possible to have an amendment to the Act to the effect that any special agreement should be ratified by the Central Council in each case, because it is only in a case of something important, where a member in practice has an agreement with some corporation or important body, an important client, where he is perhaps getting commissions continually from that body, that there would need to be an agreement in regard to fees, and that that agreement should be ratified. If this is going to stand as it is, I consider it is a great loop-hole, and it will break down the whole power of our scale of charges. I consider we should seek some legislative amendment whereby any agreement entered into by any member of the Institute should be ratified by the Central Council, or other authorised body.

Mr. T. MOORE (Pretoria): Mr. President, with regard to the question raised by Mr. McWilliams, it is dealt with in the Regulations. Anyone deviating from the scale of fees must notify his Provincial Institute, or the Chapter, and he must notify his intention of departing from that scale of fees, and the extent of the deviation. It is clearly laid down in the Regulations.

Mr. R. H. JONES (Capetown): Mr. President, I don't see how that is practicable in the case of small work. I think it is absolutely impracticable with a number of small jobs, that a member should have to write up and get consent to an agreement made to carry out certain alterations.

THE PRESIDENT-IN-CHIEF: Do you mean it is impracticable to notify the Institute of your departure from the fees as laid down?

Mr. JONES: Yes, Sir. Assume a client won't pay these fees, and they want a fixed price. I had a case the other day where a man wanted some stoeps put on about five or six shops, rather an awkward job. He would fix me down to a fee. I gave him a fee of £25. He said he would consider it with his partner. He went away. I later found he had got someone else to do it for £14.

Mr. N. T. COWIN (Johannesburg): Mr. President, would it not be advisable to hold over any discussion on the Scale of Charges until this question is brought up by me later on? I am dealing with it in a paper.

THE PRESIDENT-IN-CHIEF: Yes, that is on the Agenda.

Mr. HENRY ROWE-ROWE (Johannesburg): Mr. President, in reference to Mr. Moore's reply to Mr. McWilliams' question just now, he said it is necessary that notification should be given to the Central Council. But that really does not meet Mr. McWilliams' point. It does not say that the approval of the Central Council must be obtained. I think that is Mr. McWilliams' point. Just a notification that a member is not abiding by the scale of fees does not, I think, meet the point raised.

Mr. T. MOORE: Mr. President, if you refer to Clause 89 (1), page 48, it states that a member must notify his intention to deviate from the scale of fees. That was very fully discussed by the Inaugural Board, and the Chairman decided that it was impossible to control the fees. The Act gave the Central Council no authority to control the fees; the Regulations could not go beyond what is laid down under 89 (1). I would like to say there is no obligation on the part of the member to get the consent of the Provincial Institute or the Board; he only has to notify the Institute or Board.

Mr. F. L. H. FLEMING (Johannesburg): Mr. President, it appears to me we are discussing in detail some small parts of regulations, whereas actually I believe what is before the meeting is your report as covering matters referred to Congress by the Central Council. Might I ask at this stage, Sir, whether the Congress is going to receive any kind of printed agenda or summary of those matters which are referred to Congress by the Central Council, which I take it will be matters dealing say with a contract, with the form of contract, in which there are a large number of most difficult points which this Congress should consider and express opinions upon? That would, it seems to me, be the sort of thing one would anticipate should come out of the President's report—matters referred to Congress by the Central Council. And the matter of the Builders' envelope. I have no doubt there are

quite a number of other points on which the Central Council wants the deliberations and the advice and opinions of the Congress. I just wish to ask if the Central Council has prepared a sort of agenda which this Congress will consider under the item appearing on the Agenda, "Discussion of items in President-in-Chief's report"; whether we are going to have something quite definitely formulated, and complete and deliberate, advanced to us by the Central Council, and if so, whether it would not be better for this meeting now immediately to go on to consider such an agenda? As I say, Congress now seems to be in a rather desultory way considering the details of some small point that has arisen out of your report, Sir.

THE PRESIDENT-IN-CHIEF: My difficulty, gentlemen, has been that most of the subjects to which it was necessary to refer, are provided for in the Agenda. Take, for instance, item 6: "Standard conditions of contract"; "Tenders in Endorsed Envelopes"; "Specified schedules of Quantities" by Mr. Ritchie Fallon: I did not discourse too much on that particular item seeing that it was to come up later on the Agenda. Then No. 12, "What protection does the Institute give against plans, etc., of non-members": that will introduce the question of Clause 3 (c) and the Municipalities, which I threw out as a lead. And Competitions, No. 10: that will be thoroughly discussed. And "The Journal," No. 18. There is very little really that I touched upon that does not come up at a later stage for thorough discussion and debate. The only point I can suggest is, if there is anything I did mention that is not on the Agenda, that could be discussed now with the view of making any recommendation to the Central Council. Otherwise, I think we might proceed with the Agenda and take Item 2 straightaway. Because I feel sure that most of the points the Central Council is interested in, and that members are interested in—the workings of the Central Council—will come out sooner or later in all these matters that appear on the Agenda. Unless anyone wishes further to speak on any of these matters that have been raised, I would suggest, gentlemen, that we proceed with No. 2 on the Agenda. Before we proceed, gentlemen, and in view of the fact that His Worship the Mayor of Johannesburg will officially welcome the delegates at 11.30, it has been suggested that we might adjourn to give everyone a chance of having a cup of tea.

Mr. D. M. BURTON (Johannesburg): Mr. President, before we adjourn, I have a small bouquet of violets to present. I would like this Conference to appreciate the fact that our President, Mr. Howden, who has served us so well on the Inaugural Board, and who has served Architects throughout this country so well since 1909, has been a member of the old Transvaal Association of Architects since its inception. No year has passed without Mr. Howden being a member of the Council, which I think is rather unique. Now Mr. Howden has devoted a tremendous lot of time to the architectural interests of this country, and in reading through the Agenda, I see the only item that really prompts me to speak, apart from presenting this bouquet of violets to Mr. Howden, is No. 15, "Owner Architects." Out of that I can see quite a lot of discussion resulting, but I would like, in case I don't

happen to be here at the time, this Congress to speak in no uncertain terms with regard to trying to get in the Act itself, Clause 3 (c), as we originally had it. Personally I submit it does not matter if we had to take in five hundred more Architects than are registered to-day, provided we got Clause 3 (c). That is the real perfect protection that we should have under this Act. And I do not feel, myself, although it might help, that the Municipalities will ever do for us what we might ask them, or if they did, whether it would have the real beneficial effect that the insertion of Clause 3 (c) in the Act would give us. I hope this Congress will not fail to express itself, in no uncertain terms, that from now on we should take steps, even if it takes us years, to get Clause 3 (c) inserted in our Act. And I feel, gentlemen, that this Clause 3 (c) might not matter very much to any one of us, but for the young men now studying at our schools to attain a qualification worthy of architecture; it is a vital and all-important matter, and I trust we will do all we can to further their future interests, even if we have to suffer a little ourselves.

Mr. ALLEN WILSON (Johannesburg): Mr. President, I would like to support what Mr. Burton has just said. He hit the nail on the head towards the end of his speech; that is to say, Sir, a great deal depends upon our students. I trust the Government will assist us when these students go to them and say, "We have no protection. You educate us you make us Architects, but you give us no protection." I feel that the students are the ones who should be the prime movers to get Clause 3 (c) added. The protection is for them, as Mr. Burton has said, not for the old practitioner; and therefore I have very much pleasure in supporting Mr. Burton's remarks.

THE PRESIDENT-IN-CHIEF: Gentlemen, that particular point must come up under No. 12 on the Agenda, "What protection does the Institute give against plans, etc., of non-members?" I took it for granted that that covered the point.

Mr. BURTON: I submit the Conference might discuss what protection the present Act gives, but that is no guarantee that this Conference is going to assert itself towards getting the re-insertion of Clause 3 (c) into the Act. The Conference might discuss this for days, and yet not attain the very thing I am asking for.

THE PRESIDENT-IN-CHIEF: If that is so, gentlemen, that that particular item does not come in in the Agenda, it is quite competent for you now to discuss the matter and settle it, and make a recommendation to the Central Council.

Mr. BURTON: Then Mr. President, I have much pleasure in moving that this Conference discuss at an early stage the question of the re-insertion of Clause 3 (c) into the Act, or taking proper steps towards its re-insertion.

Mr. ALLEN WILSON: I second that.

Mr. D. M. SINCLAIR (Johannesburg): Would it not be better to put it on the Agenda, Mr. President? It would take some time to discuss, to get the full benefit of it.

THE PRESIDENT-IN-CHIEF: Does Mr. Sinclair suggest it should be put on the Agenda further on?

Mr. BURTON: Add it to Item 12.

AGREED.

Official Welcome to Delegates by His Worship the Mayor of Johannesburg.

THE PRESIDENT-IN-CHIEF: Gentlemen, I have very much pleasure in introducing to you His Worship the Mayor of the City of Johannesburg, who has kindly come here this morning officially to welcome the delegates.

HIS WORSHIP THE MAYOR, who, on rising to speak, was greeted with applause, said: Mr. President and Gentlemen: It is with a great deal of pleasure that I extend to you to-day on behalf of the City of Johannesburg, an official welcome. That pleasure is made all the greater for two reasons; first of all, because this is the first Congress of Architects and Quantity Surveyors under the new Act of 1927, I think Johannesburg is to be congratulated on the fact that you have chosen this city as the first venue of that Congress; and in the second place, it is particularly pleasing to be able to welcome you to this city because the relationship between the City Council and the professions which you represent is of the closest. On several occasions we in the Council have had the privilege of hearing your views and receiving your advice on various matters of public interest; and although we do not always take the advice that is tendered to us, at the same time we do very much appreciate the spirit of public service which has prompted it, and which we realise is behind whatever representations are made to the City Council from your professions and from bodies such as the Town Planning Association and similar bodies. I should like to congratulate you, gentlemen, on having successfully had your Bill passed through Parliament, in order to put the professions on a proper basis. There are, of course, people who criticise any professional body which seeks to make its position secure, forgetting all the time that it is not only for the protection of the members of that professional Association that a Bill is promoted, but also in order—and probably this is the more important aspect—in order to protect the public in its dealings with members, or supposed members, of the particular profession which is under consideration at the time. I think, looking at it from the point of view of the public, apart altogether from the point of view of your professions, it is a good thing that this Bill has now become embodied in our statutes. The public certainly needs protection in every phase of life, and the professions which you represent, and the businesses which you carry on are some of the most important in regard to which the public requires protection. You have a very important part to play in the life of the community. If you look at it from the

point of view of our public, national buildings, you have an opportunity in those buildings which come under your control, and which you have the honour to design, of expressing our national life and character. In the commercial world you have an opportunity, I think, of embodying and stimulating that spirit of security, and honesty, and fair-dealing, which is the only foundation upon which an industry and business can be built up. And then in regard to the homes of the people who live in our various towns and cities, there you have a wonderful opportunity of making a most valuable contribution to the comfort and the happiness and well-being of the people at large. So that, from whatever point of view one looks at your professions, one is able to appreciate the fact that your influence, for good or for ill, on the present as well as the future life of the community and the nation, is bound to be a very great one. And it is for that reason that I wish you all success in the Conference which you are now holding and very heartily bid you welcome to this city of ours. I do not know, Mr. President, whether you have so loaded the members of this Congress with business—and you have very important matters to discuss—that it will be impossible for them to spend any time in visiting the various parts of Johannesburg, although probably most of you, at any rate, know the town fairly well. But I think, if there are any gentlemen here who have not visited Johannesburg for some years, and are able to take an opportunity of going round the town and suburbs, I think they will see something there which will amaze them, because undoubtedly the development of Johannesburg, from the building and from the architectural point of view, has been greater during the last few years than in any previous stage of its history. If the City Council can be of any service to you, Mr. President, in arranging for a visit to any of the municipal undertakings, you have only to say the word and pass the word on to the Mayor's office and I shall be very happy to arrange to show you over any of the municipal departments in which you are interested. I do not think I need delay you any longer Mr. President. We shall have an opportunity of meeting each other again at a more convivial and less formal function and therefore I will just conclude by saying we very much appreciate the compliment that has been paid to Johannesburg in having been chosen as the venue of the first Congress under your new conditions. We wish you individually and your professions generally the very best success in the future.

THE PRESIDENT-IN-CHIEF: Gentlemen, our Mayor, Mr. Fearnhead, is a very busy man, one of the leading members of the legal profession in Johannesburg, apart from his mayoral duties, and I feel sure you feel with me very grateful to him for finding sufficient time to come here and welcome you in the way he has done. I ask you to convey a very hearty vote of thanks to His Worship the Mayor for his kindness in coming here this morning.

Carried unanimously.

THE SCALE OF CHARGES.

By N. T. COWIN.

The question of fees for Architectural and Quantity Surveying services is a vexed one and few will say that the solution under our Act is ideal.

We have now had some experience of the working of the Regulations and one finds that a general opinion prevails that the Scale is not going to be adhered to.

The public have been accustomed to the five per cent. charge for Architectural services and to a certain extent are familiar with the two and a half per cent. charge for Quantities and a departure by way of increase on the existing Scale is not going to be faced by any but the more spirited members of the profession.

Who is going to say what is right or wrong?

The matter was well put by a Client recently when he said "The five per cent. fee pays you well, provided you have plenty of work." That is the point. The volume of work passing through the office. The merchant would say "A large turnover admits of a smaller profit!" in other words a smaller fee. The large turnover does not come to every one of us so on the balance a fair average rate is sought.

It would appear that a sliding scale would meet the position more fairly and some distinction should have been made in the Act for various classes of work as is done on the Continent, I believe; the Town Hall, the House, the Warehouse and so on, and so with the fee for Quantity Surveying. The Government and Provincial Authorities have adopted a sliding scale for quantities and some such scale should have been embodied in our Act.

A certain type of client is ever ready with proposals to water-down our fees; one knows that suggestions are made occasionally that Specialists' fees should be paid out of the Architect's commission and work that covers a great deal of duplication, such as a large block of flats with each floor of similar plan or a large Warehouse should be taken at a reduced fee, and from the layman's point of view this attitude is perhaps justifiable. But we have, by established custom, decided to base our charges on an average percentage on the total cost of the building scheme, the simple parts of the structure balancing the more elaborate portions where a larger fee would be required to be remunerative and this scheme has on the whole worked fairly between the parties.

There are, however, so many factors which need consideration on this question of fees that one finds oneself at variance with the stipulation in the Act—that it is an offence to deviate from by charging less than the charges laid down in the regulations without notifying the Provincial Institute or the Board and the extent of such deviation.

If the Act gave power to the Councils or Board to take disciplinary measures against the offender well and good but it does not and without that the mere reporting of the delinquency becomes a farce and the law is irksome and futile.

There must be latitude and discretion given to individuals in their relations with their clients and no amount of legislation will prevent undercutting of fees, which is, one might say, never satisfactory to client or practitioner.

The remedy lies in a general uplift of the profession by ensuring, and the Act does this, a good standard of education and training and concurrently an aversion among members of the profession generally to resort to questionable practices.

A little more consistency is required in our outlook on this question. No one is exercised at the prostitution of the profession in the enormous waste of gratuitous labour brought about in Competitions nor in the loss of fees often waived when considerable modifications in a scheme are brought about after the tenders are in, yet protests are raised without a knowledge of the facts should a practitioner accept anything below the prescribed fee for his work.

We all find ourselves forced to do a great deal of gratuitous work in the ordinary course of business and what is to be charged up must be left to the individual's discretion.

The prescribed fee should be considered a guide and the regulation requiring notification to the Council or Board of any departure from it should be abolished as in any case it is destined to become a dead letter.

In the Transvaal I venture to say no one has adhered in all cases to the charges laid down in the regulations and very few have reported their actions to the Council or Board so the regulation is being evaded wholesale.

Now as regards the fees for Quantities.

It is an anomaly that the Architect's fee—which is based on the total cost of the building—covers all services until the final completion of the work and as often as not for many years after when matters are referred to him about smoky chimneys, leaks, settlements, etc., but the Quantity Surveyor has not a covering fee for the whole of his services on a Contract; having completed his Bill of Quantities he can look forward to additional fees accruing from the final settlement with the Contractor when a Variation Bill is prepared or a remeasurement of the work is decided upon and his work then ceases.

Cases have occurred where the Surveyor's fee has exceeded those of the Architect on a contract and this is topsy-turveydom. Such a state of things can be brought about provided the Variations on the contract are extensive enough and the Surveyor's fee is charged on the Omissions as well as on the Additions or when a remeasurement of the whole of the works is considered necessary.

Clients do not understand a Variation Bill and the necessity for remeasuring a building entirely to arrive at the cost when Quantities have been prepared at the outset is beyond their comprehension—especially when the building has not increased in size and cases can be quoted of this occurring.

Then the fees for the measurement of the Variations are almost invariably included in the Bill and paid by the Contractor, which is undesirable; the client seldom knows anything about this fee and he has no opportunity to criticise it.

Objections are sometimes raised at the necessity for calling in a Surveyor to settle up the job with the contractor: many clients fail to see why the Architect cannot do this and have insisted on his doing it.

To remove a great deal of ambiguity and misunderstanding it would be better to name a fee based on the total cost of the building to cover all Surveyor's charges (the 2½ per cent. should be satisfactory)—for preparing the Original Bills of Quantities and carrying out all services until the final settlement of accounts is agreed upon.

There is a temptation under the present system of "ADD and OMIT" in the Variation Bill to unduly lengthen the Bill and measure slight variations which bring about hardly any appreciable difference.

Far better to adopt one inclusive fee for Surveyor's services on a Contract and deal with the client direct as the Architects do and it is conceivable that he will then understand and appreciate what he is getting and friction will be removed.

Discussion on Mr. Cowin's Paper.

Mr. F. WILLIAMSON (Johannesburg): Mr. President, Mr. Cowin, in referring to the matter of the standard of fees, has brought forward one or two rather important points. I think we all realise that it is a matter of extreme difficulty to legislate for a definite standard of professional fees. I think I am correct in saying, Sir, that Dr. Reitz, in considering this matter, during the early stages of the consideration of the more important points of the Act, stated that this was so: that it was impossible to compel and enforce a hard-and-fast standard of regulations governing professional fees. I think Mr. Cowin realises that in the Act, the necessity for reporting to the Provincial Institute any deviation that an Architect may, after consultation with his clients consider necessary, is only intended as a deterrent. Realising this, as Mr. Cowin must, I am rather surprised that he has not in his paper given some solution to this point. I would like

to ask Mr. Cowin whether he has considered that point, and whether he could devise a policy which might cover this rather difficult and vexatious matter.

Mr. E. M. POWERS (Durban): Mr. President, I think Mr. Cowin's paper, the salient points of it, will be very much appreciated by this Conference. There are one or two points, however, which I think arise from the paper which Mr. Cowin himself has not particularly emphasised or drawn attention to. He speaks more or less generally of the fees for the Architect and the fees for the Quantity Surveyor, so far as the building owner is concerned. There is another aspect of the case, and that is, the fees of the Architect and also the fees of the Surveyor, as charged to the architect, so far as the Architect and the Surveyor are concerned. It is well known, I think, to all present that in the past there has been a practice, probably not a most desirable practice, but still it did exist, and there is no doubt about it, that in certain offices where there was a certain amount of quantity surveying work done, although the nominal charges of 2½ per cent. were charged for the quantities, it frequently happened that the surveyor took 1½ per cent. and probably gave one per cent., or some such amount, to the Architect. I have heard cases in Natal where, under the new Act, Architects have said, "Yes, but if the Surveyor is going to get his fees, his full fees, where is the one per cent. we are booked for?" I would like to remove any misapprehension that this one per cent. is in any way an illicit commission to the Architect. The Architect in those cases has contended that he had done a certain amount of work for the Surveyor; he has supplied him with information which has been most essential for the purpose of providing the quantities, and therefore he is entitled to this. He has done work which otherwise would have been Surveyor's work; so that he is quite entitled to take a portion of the Surveyor's fees. Well, under the existing Act and the clause, it would be an offence, I take it, for a Surveyor to divide his fees with the Architect, or for the Architect to take any portion of the fees. I think that is a point, Mr. President, that this Congress might very well discuss and come to some sort of agreement upon. The point has been raised in my own Institute, and we have rather shelved the question until this Conference. Then there is another aspect of Mr. Cowin's paper which I would rather like to touch upon, really to emphasise the point, and that is the question of the omit and the add items in the adjusting of accounts. I conceive it is quite possible, in fact, I have known cases where work has been modified during the construction, and I think we all know that very few jobs are carried out actually to contract without any variation. A client sees something that he did not quite appreciate, or it has not turned out quite as he intended, and a slight variation is made; and sometimes the variation is necessitated to reduce the cost of the job. Sometimes there are fairly big provisional sums, and these are omitted, and there is a percentage on the omission, and then a further provisional sum is added, and there is a further commission on the addition: the building owner has made probably quite considerable reductions in his contract, but by the time the Architect and Surveyor have been paid their fees, he is no better off than he was before. It is an anomaly, but we must face the facts. It frequently happens that the building owner thinks he is going to reduce his job to come within the

limits of his purse, and by the time the two professions have got together and made the necessary additions and reductions, he has got a smaller job, but he has paid as much for it. It is a humorous side of the question, but it does frequently happen. Then I think Mr. Williamson said that in Mr. Cowin's paper he had not put forward any solution to these difficulties. I venture, Mr. President, to put forward a solution, which may find favour with the Conference, or it may not; and that is, that if Surveyors and Architects would agree to work on the scale of fees laid down for their full services, we should have as it were a percentage that the client could understand—the architect's fees, 5 per cent. and the quantity surveyor's fees $2\frac{1}{2}$ per cent—he would know exactly if he were going to spend £5,000 or £10,000, what the professional fees were going to be; and he would be very well satisfied if he agreed to them. But with this omission and addition business, friction and unpleasantness are caused, and however satisfactorily we may explain it to the client, from our point of view, he goes away with the idea, "Well, I suppose it is all right from the point of view of those fellows, but I think they have had me in the long run." That, gentlemen, is just as I see it, and summed up in a nut-shell.

THE PRESIDENT-IN-CHIEF: I might say, gentlemen, that it is rather difficult to prevent one item on the Agenda being involved in another; but as a matter of fact, No. 5, under the name of Mr. Moore, will cover a great deal of what Mr. Powers has referred to in the first part of his remarks. I think it would be better to confine that aspect of the question to Mr. Moore's paper, rather than to drag it into this discussion at the present moment.

Mr. W. A. RITCHIE-FALLON (Capetown): Mr. President and Gentlemen: I listened with great interest to Mr. Cowin's paper. There are one or two things that occurred to me. He first of all mentions the difficulty of changing over, in the scale of fees, from 5 per cent. to 6 per cent. It has been our experience in the Cape Province a few years back that there was difficulty when we changed over, but we reckon we have got rid of the difficulty now. It looked very serious from the start off, as if there was going to be no end of a row over it, and all that sort of thing, but it was surprisingly quietly and comfortably done, without any friction at all. And I would seriously recommend to those practitioners in other provinces the tackling of the matter with a free heart, and you will find you will get over it quite easily. Apropos of that, I think for many years the profession under the 5 per cent. charged has been seriously handicapped; not only the profession of an Architect, but that of a Quantity Surveyor, has been made very much more intricate as we have progressed in the art of building. And a good many years ago—I forget the date: it doesn't matter very much—the Royal Institute put up their fees to 6 per cent. realising the extra worry and responsibility that was placed on the architectural profession. It was about that time, incidentally, that the Cape Institute put up their fees too. And I do submit that for really careful attention to almost without exception any type of work by an Architect, he is not adequately remunerated at 5 per cent. Mr. Cowin's suggestion of the graduated fee, I think, will be found a very difficult one to work; so many variations, so many defi-

nitions, as to whether A is not in B, or B is not in C class, that it lays the matter open to endless discussion and possible friction. Quantity Surveyor's fees, on the other hand, I think, as far as the graduated scale is concerned, can be worked on that basis; the Quantity Surveyor has so many miles of work to cover, and it is much simpler to arrange to graduate the Quantity Surveyor's fee on the actual size of the job than it is to graduate the Architect's fees with the different variations in the job. In the Cape we have a certain amount of work to do for the Provincial Authorities, and they work it on a graduated scale as well; and so far we have not found anything very serious in complying with that graduated scale of theirs. I don't think I have much to add on the subject of omit and add to the Quantity Surveyors' fees, but would like to wholly endorse Mr. Powers' notes on that point. Generally, on the subject of fees and the notification to the Provincial Institutes, I would like to read you a legal opinion that was obtained by the Cape Institute:

42, Burg Street,
Capetown,
3rd November, 1928.

The Secretary,
Cape Provincial Institute of Architects,
St. George's House, St. George's Street,
Cape Town.

Dear Sir,

We have considered the letter addressed to you by the Hon. Secretary of the East London Branch relative to an Architect charging five per cent. instead of six per cent. to an old client for whom he had, prior to the passing of the Regulations, been in the habit of working for the former percentage.

Section 97 of the Regulations fixed what must be regarded as the ordinary fair and reasonable charges of an Architect. Section 89 (1) constitutes it unprofessional conduct to deviate from these charges by charging less without notifying the Provincial Institute. Strangely enough, this Regulation does not go on to lay down what is to be done upon the Board being notified, but we presume what is meant to be provided is that the Board may, in exceptional circumstances, approve of a less charge. Sub-Section (s) constitutes it unprofessional conduct to compete in any unfair manner with a fellow architect. We think it would be unfair competition to charge less than the ordinary charges unless in exceptional circumstances, and that the facts disclosed in the letter of the East London Branch do not amount to such exceptional circumstances as would justify a less charge being made. An exact Tariff of charges has now been framed, and the public will soon become used to the new tariff. Similar changes have been made in other professional tariffs and the fact that a professional man has in the past been working for a client on an old tariff is not regarded as justification for his departing from the new tariff.

We return herewith the letter from the East London Branch.

Yours faithfully,

(Sgd). SYFRET, GODLONTON & LOW.

This, of course, rather misses the point that I think was raised by Mr. Jones this morning, on the question of a man coming along and saying, "Well, what will your fees be for doing this job for me?" In the matter of an alteration job one is very often asked just to quote a fee for it; it may not in some cases be for whole architectural services. So far I have not been able to think of any possible remedy for Mr. Jones' point, but I have no doubt somebody else will bring that up. I am glad that Mr. Williamson laid emphasis on the reporting to the Provincial Institute or Board as a deterrent, and I think, with due encouragement from the respective Committees and Board, it ought really to be quite a valuable point in the Regulations. We are quite aware of the fact that we could not get everything into the Regulations that we wanted, in the same way as we were "short-circuited" a little bit, or rather a good bit, on the Act itself. In the matter of sharing fees that Mr. Powers has dealt with, I think there is one point there that is worthy of consideration. Some members of the architectural profession require a great deal more in the way of service from their Quantity Surveyor than others do. Just as an instance, many of the architectural profession hand their working drawings over to their Quantity Surveyor with sketch details and expect him to prepare the whole of the specification as well as the bill of quantities, together with any notes on the thing structurally or otherwise that the Quantity Surveyor may think won't quite work. On the other hand, going to the other extreme, I have known of members of the profession who actually write out their draft bill of quantities for their Surveyor with ample details and say "This is your draft bill, and will you please keep to it. And, of course, if you come along with any odds and ends that you think ought to be put in, please don't put them in without consulting me, because I may not want them in. I may not be meaning that at all." So you have the two extremes there. And when it comes to a matter of sharing fees, I think it wants to be very carefully looked into, as to what these fees are being paid for.

Mr. ROWE-ROWE: I consider that the opinion the Vice-President has just read, a very valuable and interesting one. I was wondering whether that could be distributed amongst the members of the Congress?

THE PRESIDENT-IN-CHIEF: Does Mr. Rowe suggest it should be sent to each Provincial Institute and Chapter?

Mr. ROWE-ROWE: I would prefer it to be distributed amongst members of the Congress for consideration.

Mr. McWILLIAMS: I would like to ask if that opinion is counsel's, or solicitors'.

Mr. RITCHIE-FALLON: It is the opinion of Messrs. Syfret, Godlonton & Low, who were the Parliamentary Agents in Capetown for the putting through of the Act.

Mr. R. H. JONES: Mr. President, with regard to this contract business, it is a very serious point, because about 80 per cent. of my work is by contract. If you take the building societies—I have had one case

—they advance two thirds on the value of the building; they get hold of a builder who will build it for two-thirds. And then they want an Architect simply to put the plans through. They cannot afford to pay much; they pay only half my fees due at one time, and the other later. There is a tremendous lot of work done in Capetown by small struggling people who want small houses built, and alterations. There are two classes, those who come from Jerusalem, and from the North Pole: speculative builders. They won't consider a commission basis at all. If I don't give them a fee for the job, they will go and get it somewhere else.

Mr. F. D. HICKMAN (Johannesburg): Mr. President, there are just one or two points I would like to reply to in Mr. Cowin's paper, so far as the quantity surveying section is concerned. I would first like to congratulate Mr. Cowin on having become an Architect. I think he said in the variation accounts the fees were added to the account and were paid by the builder, and the client was unaware of them. Does he mean by that that the client does not see the variation bill? The bill is surely handed to the client, is gone through with the client, and at the end the fees are shown. I entirely agree, that occasionally the client jibs at them when he does see them, but there is no question of covering them up. Now I gathered—I may be wrong—but from his remarks he thought the Quantity Surveyor was overpaid and the Architect was underpaid; he seemed to think that 5 per cent. or 6 per cent., was insufficient for the Architect for the work he did, and that $2\frac{1}{2}$ per cent. was very much more than the bills of quantities were worth. There are one or two points in connection with that to which I would like to call your attention. First, the Quantity Surveyor, as you doubtless all know, does a tremendous number of estimates, very long estimates, for proposed schemes, which come to nothing. It is true the Architect also does a lot of work in preliminary schemes. But whereas the Architect does get to the stage of sketch plans, and he may be paid for them, it has never been my personal experience—other Surveyors may have been more fortunate—I have never yet been paid for any preliminary estimates. Other work which a Surveyor does has been touched on by Mr. Ritchie-Fallon when he said—and I think he may say invariably—a specification is written by the Quantity Surveyor for the Architect without charge. Just touching the question of these variation fees again, there is something, of course, in what Mr. Cowin says: they do amount to a good deal. But, Mr. President, those fees used to be $2\frac{1}{2}$ and $1\frac{1}{4}$: $1\frac{1}{4}$ for the omissions, and $2\frac{1}{2}$ per cent. for the additions. In this Act to-day they are laid down at $1\frac{1}{2}$ and 3, and it seems a most extraordinary thing to me that these fees were raised when this Act was brought into being; and, as far as I remember, the whole of the Architects agreed that it was perfectly right. That, of course, was at the same time when they raised their own fees from 5 to 6 per cent. Again, Mr. Cowin said he thought one could have a covering fee for everything. I entirely fail to see how that would work. There are jobs which are carried out with very little variation, where half an hour settles the whole thing. There are others where the job is remeasured from top to bottom. One surely does not suggest we should first take out bills of quantities and then remeasure the job, as at present? In short, gentlemen I feel that there is only one way to

deal with this matter, and that is by giving a fair deal on all sides. It was said that Mr. Cowin had proposed no remedies. As far as the Surveyors are concerned, I can propose one, and that is, that if the Surveyor receives his $2\frac{1}{2}$ per cent. and the Architect insists on his 6 per cent., both parties should then be perfectly satisfied. Neither one should want anything from the other. And as regards the variations, it simply amounts to this, that if you employ a Surveyor, and he is a man of standing, he does not make up a variation account and charge on the provisional items on this side or the other side. If he charges at all, he would only take the difference between the two. But that, again, I suggest, is in the hands of the Architect: the Architect is there for the purpose of looking after the builder and seeing that he gets a fair deal. He should be in the same position with his Surveyor, to see that the Surveyor gets a fair deal; and if he found him charging in his final accounts what he considered were outrageous and unfair charges, he has got the remedy in his own hands.

Mr. McWILLIAMS: Mr. President, I quite agree with one of the previous speakers, that this matter of fees is a very vexed question. But would like, Sir, to appeal to this Conference to look at this thing from a broad point of view. We have been fortunate enough to have had this Act passed through Parliament, and I for one have looked forward for twenty years to the passing of that Act. And my feelings have been all along that it doesn't matter what those in practice to-day suffer; they will benefit to some extent, but in the long run the whole profession will be cleaned up. And it is up to us, as the practitioners of to-day, to make some sacrifices for the future of the profession. If we are not going to do that, why, Sir, I submit we are failing in our mission. My own personal view of this 6 per cent. basis—when I first heard that the Royal Institute had raised their fees to the six per cent basis, I thought it was iniquitous, in view of the fact that in comparison with pre-war days, building costs had gone up, and I considered that the increase in the cost of building should justify the Architect on the 5 per cent. basis. But there is no doubt about it, as the Vice-President said, that building work to-day is infinitely more complicated in every way, with new materials, and new manufactures, and the specification that is required, and the understanding of different mechanisms and machinery required in connection with buildings of importance to-day. That position has been changed. I was convinced seven or eight years ago, when at the suggestion of the Cape Institute of Architects, the Port Elizabeth Architects decided to accept the 6 per cent. basis. Well, it was agreed unanimously by the little society down there, and as a result of that agreement we notified the Cape Institute; previous to that we had the old Royal Institute scale in full detail, on a sheet of paper the size of our letter paper, and when we were engaged by a client, we posted a copy of that schedule to the client, intimating to him that that was the basis of our engagement and these would be the fees under which the work was accepted. When the six per cent. basis was decided upon down there we had all those copies set aside, and a new schedule printed, a new scale printed on the six per cent. basis. I believe just before the Act was passed, at the request of the Parliamentary Committee or the Union Registration Committee, a copy of that schedule was sent up to them. We printed the six per cent.

schedule, and this is what we did. We circulated it amongst all our clients, that is to say, all our clients of standing that were likely to be coming along with another commission, without any comment except to say that in future that would be the scale of our charges. I felt that it was the right way to act, and it was fair that a man should know exactly how he was situated before he came to see us at all. Well, some people thought that that would ruin our practice. Mr. President, I can tell you it had no such effect. And to-day, if a new client comes to the office and gives us a commission, before we do the work we give him in a letter the scale of charges, and we state that that is the commission we expect to be paid, and it will be the basis of our engagement. We have had a little trouble; we have had an instance here and there where a man has come rather rattled to the office and said he could get it done elsewhere for 5 per cent. Well, we have invariably told him he is welcome to go elsewhere, but if he wants careful and good service, that is the only basis we could charge. We have adhered to it, and I don't consider we have lost much by it; but we have increased our self-respect very considerably. I submit if the Architects practising in the Union will adopt the course of backing up the Central Council in its endeavour to fix the scale of charges on the 6 per cent. basis, and let it be broadcast that it is a six per cent basis, and let it be advertised as a six per cent. basis, for Architects' services, it will gradually sink into the minds of the public, and it will become a recognised fact, just as the five per cent. was in the old days. This is the time we should do it; this is the beginning of our movement after we have got the Act; and if we are not going to do it now, it is going to be infinitely more difficult to do it at any future date. Now Sir, I would like to make a remark in regard to Mr. Cowin's interesting paper, and that is, his reference to the matter of adjustment of accounts and the charge for omissions and additions. I think there can be nothing more irritating to a client than that charge on the adjustment account; not altogether because of the charge, but because of the methods on which the account is built up. Take, for instance, we'll say, as an example, a building where there is a provisional sum for the lifts. It may be that there are two or three lifts in a building running into two or three thousand pounds. Well, that is put in the original bill of quantities as a provisional item on lifts, and the Quantity Surveyor gets his $2\frac{1}{2}$ per cent. Then the client in carrying out the work decides, circumstances having changed a little, that he will omit two of the lifts. There is a big item knocked out. When it comes to writing out the bill of omissions, "Omit for lifts," when it comes to fixing up his final account, he finds that he has been charged $2\frac{1}{2}$ per cent. on those two lifts, to start with; he has been charged $1\frac{1}{2}$ per cent. because they were omitted; and he is paying the Architect 5 per cent., or 6 per cent., as the case may be, for the lifts in the first instance. I submit, Sir, that is not a thing that will raise this profession in the eyes of the public. And then the contingencies that go with every contract, as a member has stated—an item running up to $1\frac{1}{4}$ per cent. on the value of the contract; when that amount is charged, 5 per cent. by the Architect, $2\frac{1}{2}$ per cent. by the Quantity Surveyor and perhaps the contingencies are omitted and set up against the additions, there is another $1\frac{1}{2}$ per cent. on that again. It is not fair, I submit. I do

not know how the practice ever cropped up. There is no doubt about it, that a Quantity Surveyor in many cases very dearly earns his fee for the adjustment of omissions, because if there is anything that is complicated it is the adjustment of omissions, especially in buildings of a complicated nature. But I think there should be some deterrent on that, I say, iniquitous charge on the adjustment account covering the contingencies and provisional items. It is not a thing that we should set our face towards at all.

Mr. T. MOORE: Mr. President, Mr. Cowin mentioned a covering fee for variations. Mr. Cowin mentions that as an Architect. I would like to point out that the variations are entirely in the hands of the Architect. By making a covering fee for the Quantity Surveyor's work—the Quantity Surveyor might be asked to re-measure the whole of the building; there might be variations, additions and omissions in the whole of the building, but the Quantity Surveyor is to have no control whatsoever. In that instance the one profession (the Quantity Surveyor) is entirely at the mercy of the other, which to my mind is essentially unjust. Mr. Powers stated in speaking on the paper that the Architect should be paid part of the fees for particulars supplied to the Quantity Surveyor. Now, I should like to know, Sir, what particulars a Quantity Surveyor requires. If the Architect carries out his duties, if the Quantity Surveyor is supplied with the plans and the specification, and the conditions of contract under which the work is to be done, what further information does the Quantity Surveyor require?

A MEMBER: Detailed drawings.

Mr. MOORE: Details are a part of his duty; he gets paid for those details; he gets paid for the specification; he gets paid for preparing the contract—what the contract is going to be. To give you an instance, Mr. President, I took off the quantities in England for a very big hospital, which was to cost a quarter of a million. This was some years ago. The work in England at that time ran to a quarter of a million, which would be equivalent to possibly three quarters of a million in this country at that time. The whole of the questions raised with the Architect were settled between two o'clock and four o'clock in one afternoon; but we had plans, we had details, we had the specification, and we had the conditions of contract to work on. In this country the general practice is to send the Quantity Surveyor an eighth-scale plan, and possibly a very rude letter with it, telling him the work must be done by to-morrow morning. No specification, and no notes; sometimes a detail; sometimes a detail is on the back of the eighth-scale plan. I have had that experience; I only found the details when I was folding up the plan. I should like to know from Mr. Powers, or Mr. Cowin, what are the services that the Architect is going to render the Quantity Surveyor for which he considers he is entitled to part of the fee.

THE PRESIDENT-IN-CHIEF: There are a few points raised, gentlemen, I would just like to speak upon. The question, first of all of the six per cent.: now when this matter was under discussion by the Inaugural Board, the laymen on the Inaugural Board were not concerned very much about it, but the pro-

fession was asked, what was their opinion? Well now, the Transvaal, I think, were in the most awkward predicament of the whole of the members, and the position was this, that the Transvaal made the discovery that six per cent. was charged throughout the world excepting in the Transvaal. Now, the Transvaal members were not too keen on raising their charge from five to six per cent., but at the same time, when they found the R.I.B.A. were charging six per cent., that it was six per cent. in America, that it was six per cent. in Australia, that it was six per cent. in Europe, that it was six per cent. in the Cape, and Rhodesia—they really found that they were the only ones that were charging five per cent., and they acquiesced in the charge being raised to six. And, as Mr. McWilliams points out, if everybody universally adopts that six per cent., there would be no trouble whatever. Well, now, a difficulty arose—I don't like making it too public—but the difficulty did arise, that Parliament would not accept the position that we could make it unprofessional conduct to charge less than the six per cent. But Dr. Reitz acquiesced and agreed that it was *intra vires* to insert the clause, that anyone doing work for less than six per cent., must notify the secretary of his particular Institute. Now, it is hoped that you will all look at this more from a moral than a legal point of view, and assist the profession in adhering to the six per cent. that is universally charged throughout the world. Mr. McWilliams has just mentioned the cases of P.C.'s and lifts. Well, one feels inclined to say that is rather abusing the position, which is sound in principle. You would not say that if a Quantity Surveyor had a six-storey building, and the building owner came along and made it a five storey building, taking out one of the storeys, which perhaps necessitated most of the work in connection with the quantities, that the Quantity Surveyor was not entitled to something for working on the reduction of that extra floor. But certainly the point of P.C.'s and contingencies does really require some little consideration from the point of view of it being unjust to the client. Mr. Cowin has raised another point which has not been discussed, and that is, that the fees should be paid entirely by the client; that is, the Architect's fees and the Quantity Surveyor's fees. Now, the only objection that was ever heard raised against that is that in many cases a client raised a loan from a building society, or from one of those large land owners who lend money on buildings, and it would be a detriment to the client if he could not have that amount of the Quantity Surveyor's fees included in the loan. It is a distinct advantage to a client, in borrowing money from one of these societies, to borrow the full amount of the cost of the building, with the exception of the Architect's fees. It would mean that he would only be able to borrow the amount and still have to pay not only the Architect's fees, but the Quantity Surveyor's fees out of his own pocket, and not be able to include it in that loan. Another point has been mentioned regarding the Quantity Surveyor's liability. That has always seemed to me an extraordinary state of affairs. An Architect's liability never ends; he may be pulled up at any moment after he has completed his building for any result of negligence. Now, the Quantity Surveyor, to my mind, gets off "scot-free" in that respect. It is in the contract that any mistake in his quantities is to be treated as a variation, and the client is the person who has to suffer through any negligence from the Quantity Surveyor. Now, that is true up to a certain point, but I

do not agree with the Quantity Surveyors' claims that that covers their responsibility for negligence. I still maintain that though they have made the mistake, and though provision is made in the quantities for it to be adjusted on variations, that nevertheless they are responsible for negligence. And no court of law can let any man off for negligence, whatever profession it is. But, on the other hand, again, what negligence can you assess a Quantity Surveyor for, in a case like that, where the client does not suffer from the negligence except some slight inconvenience? If the amount has been left out of the quantities, for instance, as a mistake in the quantities, he simply has the work done and has to pay for it. He has suffered no damages because he is only paying for what he is getting, and excepting the little bit of inconvenience perhaps that he has been put to, through the mistake having been made. Now we cannot get away from this contention of the Quantity Surveyors—Mr. Moore lays stress on it—that if the Architect's plans and specifications are complete, it should be possible to send them away to Timbuctoo, have the quantities taken out and brought back here to the Architect's office complete. Now, it doesn't matter how we work round that, we cannot substantiate any other position than that. The Architect's plans and specifications should be so complete that he should never want to see the Quantity Surveyor, and the Quantity Surveyor should never want to see him, until the Quantity Surveyor puts his quantities in front of him. I don't want to close the discussion, gentlemen; you can carry on; but, as I say, there are several points of interest in the paper which Mr. Cowin has brought up which have not really been discussed yet.

Mr. D. M. SINCLAIR (Johannesburg): Mr. President, there are one or two points I would like to raise. Firstly, you said there was no inconvenience to the owner or the principal if a Quantity Surveyor makes a mistake, or an error, or an omission. Well, I say it is a very big thing, when you may have a large contract and a very serious omission is made. As we all know to-day, the owner is borrowing up to the full hundred per cent., as much as he possibly can, and I have known of a big Quantity Surveyor in this town who has left out a whole floor, running into thousands. It is a thing that may happen to any one of us. But that building owner may not be in a position to borrow the balance of the money, and then he is in a very serious difficulty.

THE PRESIDENT-IN-CHIEF: He could then claim damages.

Mr. SINCLAIR: Exactly. As a lot of you gentlemen know, I deal a tremendous lot in consulting work with building societies, and I find there is great difficulty here regarding the small work: there is no getting away from the fact that the majority of our building societies do—I don't want to put it too strongly—but they do, on the whole, help as far as possible the man who does the job at a guinea or two rather than the Architect. Why, I don't know. In one or two societies, I will say they are getting better, there is a difficulty here of the Architect getting their work, and when we know that 80 per cent. of the work—I am talking about jobs, I am not talking about value—goes away from the Architect, then obviously in Johannesburg and elsewhere it is a very serious

matter. And when we come to this question of six per cent., I can assure you that it will have to come gradually; if we take Mr. McWilliams' point of view, then I say we are finished, as far as the majority of small jobs are concerned. I am talking about the small man, and I think our profession ought to look after the small man, not the big man; the big man is all right. The great majority of our six per cent. work would ruin the small man. I may say, quite candidly, that if they force their fees up to the schedule fees as laid down here, I will give a guarantee that they will lose 60 per cent. of their work. And for that reason something ought to be done and consideration given as to how we can bring it up gradually.

Mr. MOORE (Pretoria): Mr. President, you mentioned one little point, the negligence on the part of the Quantity Surveyor. The one case in which an employer does suffer from the negligence of the Quantity Surveyor is in excess measurements, and that is the only case I can see where the employer does suffer. Mr. Sinclair mentioned a case where a Quantity Surveyor, by negligence, left out the floor of a building. Now I happen to know something about it, and I think in the interests of both professions I should tell what actually happened. A building was to be erected, a very big building, and one floor was left out by the Quantity Surveyor; and the builder went to the Architect and said: "What are you going to do about it?" "Oh," he said, "you must go to the Quantity Surveyor. He left the floor out and he must pay you the damages." So the builder went to the Quantity Surveyor, and the Quantity Surveyor said, "Yes, I left it out, and I am responsible for negligence. But considering that I only drew one fifth of the fee, I will pay one-fifth of the damage." They never heard any more about it.

Mr. SINCLAIR: Perhaps Mr. Moore is talking of another case. I quite agree with that. I am not talking of that case; I am talking of a case outside Johannesburg; the job I mean is one in which a floor and a staircase were left out.

Mr. POWERS: Mr. President, may I correct a remark? I was probably misunderstood. Mr. Moore said I had stated that the Architects did services for the Surveyor for which they should get some remuneration. What I think I said was that in the Natal Council the question had been raised about the proportion of the Surveyor's charges which came back to the Architect because those men alleged that they had given those services. And the Council for the time being shelved the subject for this Conference to discuss. I did not say myself that the Architects should not give full information. But certain people do come forward and suggest, "I am losing one per cent., and I reckon I have earned that one per cent. because I have done the Surveyor's work."

Mr. MOORE: I beg to withdraw my remark, Mr. President. I quite misunderstood Mr. Powers.

Mr. F. WILLIAMSON: I would like once again to refer to the early portion of Mr. Cowin's paper, which, it seems to me, involves one of the biggest principles he has brought up. I think the personal squabbles between the Architect and Quantity Surveyor have

not led us far up to the present. I refer to the Regulation making it unprofessional conduct for an Architect to work under the standard of six per cent. without advising his Provincial Institute. I personally am very strongly of the opinion—and here I will quote Mr. Jones' case—that this clause cannot be satisfactory in execution. I feel that 90 per cent. of our members will not comply with that clause, and 90 per cent. of our members, whether we take action against them or not, will be guilty of unprofessional conduct. I would personally like to suggest some amendment to that clause—I have not had an opportunity of going very deeply into it, nor do I propose giving an absolute solution, but I think something on the following lines would meet the case :

That it will be unprofessional conduct for an Architect to work at a lower rate than the above clauses refer to, or that definitely laid down, in all new work in which a new contract is signed.

I feel personally that so very many of us have probably 25 per cent. of the work in the office which is small work—the work Mr. Jones has referred to—and for which it is impossible to charge on the general standard quoted. And I think a solution might be found if that small work could be eliminated, and it could be made compulsory for an Architect to advise his Provincial Institute when he was deviating from the standard of fees laid down in any new contract in which conditions of contract were signed. I think we all have a very big percentage of small work, and if it is necessary, as it is under the Act, for us to advise our Institutes of any small deviation I think it is practically on the face of it, impossible to comply ; I think the majority of us would be guilty of unprofessional conduct. It is naturally the endeavour of all the members of the Institute to adhere to the original standard wherever possible, and if we know we can adhere to that standard and charge the full percentage, we are going to do it. On the other hand there are so very many small items that come under our control as Architects in regard to which it is impossible to charge the normal and standard rate, due, in the majority of cases, to the particular nature of the work, or the duties entrusted to us. I don't put that suggestion forward as a definite solution, but rather as one which may possibly lead to a solution. I personally feel strongly that that particular clause in the Regulations cannot be put into force and will not be operative, and I would like, if possible, members of the Congress to consider some other solution and make some other suggestion which might overcome our difficulty.

Mr. COWIN (replying to the discussion) : Mr. President, I should like to thank Mr. Hickman for congratulating me on becoming an Architect. I don't quite know what the allusion is, but I presume it was well meant. As regards the discussion, it has only convinced me that this question bristles with difficulties. Mr. Williamson said I had put forward no solution : well, I don't think there is a solution. We have got, as I say, to trust to better conditions in the profession generally, and under those conditions members of the profession will realise that they have got to "play the game." If a delinquent might be brought up before the Council, and for some dereliction of the charges he were to be fined £50 or £100, that would

bring the seriousness of his act home to him, and we should probably have that acting as a deterrent. The fact that one has to report a variation to the Central Council is no deterrent at all. The individual who wants to charge 2 per cent. does not care two straws whether the Central Council knows about it. He will go on doing it *ad lib* ; it doesn't worry him in the least ; he has got no conscience as regards that, but what are we to do with the cases that a member cited—he said 90 per cent., or something like 98 or 99 per cent.—of gentlemen who are breaking the law and not reporting the matter at all ?

A MEMBER : How many have reported ?

Mr. COWIN : So far as I know, as regards the Transvaal we have only had two letters sent in from gentlemen who said that they are adhering to the old scale of five per cent. But we know, gentlemen, that it is going on wholesale : there is hardly anybody charging six per cent. ; I know of no one who is charging six per cent. for work in the Transvaal ; I know of no case. Why hood-wink ourselves and set the thing aside and bury our heads, when we know this thing is going on, and assume everybody is working in accordance with the Act when we know very well they are not ? My suggestion is that this clause should be entirely deleted. I see no remedy but the general uplift of the profession, and the hope that we shall all "play the game" and try to keep the profession clean. That is the only thing ; no rules and regulations will do it. I still maintain, as regards the fee for the Surveyor, that it would be infinitely preferable if the Surveyor could come into line with the Architect, and we could say to the client "You have two factors to reckon with on this job : you have the Architect and the Surveyor. The Architect's fee is five per cent.

A MEMBER : Six per cent !

Mr. COWIN : Well, we shall make it six per cent. "And that will include all his services. And if you have sundry variations, well, they will have to be considered in the general fee. And the Surveyor will have to treat the work in the same way with his variations. The Architect has numerous variations, too ; he is continually preparing sketches which are set aside. But I don't know of any Architect who can go to a client and get a fee for every sketch that he has to prepare. The client doesn't understand it : he says, "I will pay you six per cent. on the total cost." And I say the client will understand the Surveyor and his functions if you say, "The Surveyor's fee is 2½ per cent. on the total cost, and he will submit you a complete statement of account at the completion of the work, and also prepare the bills of quantities." I have had that difficulty with clients, and I know of other Architects who have had the same difficulty in presenting this variation bill with the add and omit charge for fees on the present basis. And that is why I put this forward : I think that it is going to be extremely helpful to the profession if we can get the Surveyor's fee put on a better basis. There is no question of antagonism to the profession at all ; it is only an attempt to clean up what I do really think is a matter of extreme difficulty with the relations between the Architect and the client, and the Surveyor and the client.

That is the suggestion that I move, Mr. President, that that clause is a dead letter, and the sooner we get rid of it, the better.

THE PRESIDENT-IN-CHIEF: We have no standing orders as regards this Congress, gentlemen. If you wish to think round the matter and care to come forward with a resolution that will help the matter at any time, I don't see why we should not consider it. It is not advisable, in my opinion, to say that the matter is now closed with regard to Item No. 2. Mr. Cowin throws out a suggestion; it is quite possible that you may think round it and move a resolution. It may be unanimously suggested that it be put up to the Central Council for consideration. If you care to do that at any time during the proceedings, I think we might accept it.

Mr. McWILLIAMS: If a resolution is brought forward, there will still be room for discussion?

THE PRESIDENT-IN-CHIEF: Yes. In the ordinary way you would say the matter is now closed, but I don't think it is desirable to do that. You may think round the matter and you may think of some possible way of remedying this position; you may move a resolution that may be advantageous to the profession, and wish to put it up to the Central Council for consideration.

Mr. MOORE: If any resolution is brought forward at this Conference, is it wise to take a vote on it? You have people assembled here to-day, listening to the reading of a paper; half of those people may be absent when a motion is brought forward in connection with that paper. I think anyone wishing to move a resolution should put it up as a proposition, but it should not be voted on as a Congress resolution.

THE PRESIDENT-IN-CHIEF: Yes, there is that little difficulty. But at the moment no recommendation is made to the Central Council. A hint or two has been thrown out that something may be done, and that appears to be an end of the matter. If you like, I will keep the matter open until after lunch, and we can then reconsider whether in connection with what Mr. Williamson said, what Mr. Cowin said, and others, you may wish to make a recommendation to the Central Council to endeavour to get that particular clause deleted from the Act.

Mr. R. H. JONES: I second Mr. Cowin's resolution.

THE PRESIDENT-IN-CHIEF: Shall we leave the discussion on that open until after lunch?

AGREED.

On resuming at 2.30 p.m.:

THE PRESIDENT-IN-CHIEF: Gentlemen, the position at the present moment is that we are still dealing with Item 2 on the Agenda, and a resolution is before the meeting, duly proposed and seconded, that Regulation No. 89 (1) on page 48 be deleted; the argument being that "to deviate from by charging less than the charges laid down in the regulations without notifying his Provincial Institute or the Board of his intention to do so and the extent of such deviation"

is more or less redundant and not being adhered to. And it is felt that it would be wiser not to have it in the Regulations at all. That is open for discussion, gentlemen. I think I explained to you that Dr. Reitz, as Chairman of the Inaugural Board, in the framing of these Regulations stipulated that Parliament would not permit any penalty on any member in the way of unprofessional conduct for working for a less fee than those laid down in the Regulations. He said Parliament would not permit—that is his interpretation of the Act, as a matter of fact: the Act was in existence long before the Regulations were in existence, and the Regulations had to be framed on the interpretation of the Act. Dr. Reitz, being a legal man, and a prominent politician, decided as Chairman of the Inaugural Board that the only concession he could give the Architects was this particular clause, with the hope that it would help to keep everybody up to that moral standard we are aiming at, of adhering to the six per cent. as laid down in the Regulations.

Mr. A. G. CROSS (Durban): Mr. President, I would like to point out that I have had no difficulty whatsoever in charging the fee of six per cent. on the construction of buildings. The method I have adopted has been to point out to my clients that the schedule of charges laid down is the schedule I am charging; I write to the client and state that my charges will be according to schedule, and when it comes to the final account I find no difficulty in dealing with the question of charges, by putting on my account that the charges as invoiced are the charges as provided for in the Act. I always refer to the Act in making out my invoice, and the clients take it quite mildly, and I am of opinion that this clause is necessary to keep things up to scratch and I move the clause be not deleted.

THE PRESIDENT-IN-CHIEF: You will be able to vote against it, Mr. Cross.

Mr. F. O. EATON (Port Elizabeth): Mr. President, down in Port Elizabeth we have had no difficulty in getting the six per cent. at all. I think Port Elizabeth is a place where, if they could get it for four or three or even two per cent., they would jump at it; but we have had no difficulty whatsoever. And, speaking for my firm, I can conscientiously say that we have had less trouble since the fees went up to six, than when they were five. We started in April, and since then we have sent out quite a number of accounts. We have never even had them queried; even the small man down there is quite prepared to pay his six per cent. When we had difficulty in getting that Clause 3 (c) through Parliament, Dr. Reitz told us that we should try and get much of it back in the Regulations; and there is this clause and one other which gives us back quite a lot, which we could not get in the form of Clause 3 (c). And I think it would be a great mistake to cut this out. If you don't make a stand somewhere, the next move will be four per cent.

Mr. L. NORMAN (Capetown): Mr. President and Gentlemen: It is surprising in Capetown how many people have come into my office and expressed their astonishment that the fee is six per cent., having been used to five. I have often wondered why the different Institutes have not published in the leading papers a notice to that effect—the scale of charges under the

new Act, which, I think, would save a lot of trouble. I would suggest that this be advertised in the leading newspapers in the different centres, so that the public generally would know, and I am sure it would save a lot of argument and a lot of trouble.

Mr. HAROLD PORTER (Johannesburg) : Mr. President and Gentlemen : a statement was made earlier this morning that 99 per cent. of the Architects in Johannesburg were only getting five per cent. I feel that statement ought to be contradicted most emphatically. Because I feel if that were to get about, that only one per cent. were getting the six per cent., and if in that particular case his clients got to know of it, I think there would be a terrible rumpus. And it is not fair to the man who is loyal to his Act and charging six per cent., to be then penalised by these other men who are not charging the six per cent., as they should do. I have found in many cases that where six per cent. has been charged, that there is no difficulty whatever ; whether I have been fortunate in my type of clients, I cannot say. But where I have had difficult clients to deal with—and there is a client whom I had been doing work for previously who had been charged five per cent. in the old days—I am now doing work for him at six per cent., without a murmur. And I think that similar cases could be quoted from all Architects, and therefore I say that the statement made earlier, that only one per cent. are getting their six per cent., should be emphatically denied.

Col. G. T. HURST (Durban) : Mr. President and Gentlemen : It seems to me that we can talk around this subject until the cows come home, and until we go home. It seems to me that the only solution of this difficulty is for all the Architects in the Union to commence gradually to charge the six per cent. and get the public into the way of paying what we consider a fair fee. With regard to the Quantity Surveyors, that is rather a vexed question. Some Architects prepare their full drawings, full specifications, and give the necessary number of details, so that, as was said this morning, they could be sent to Timbuctoo and the Quantity Surveyor there should be able to prepare his quantities. Others do not prepare their own specifications ; the Quantity Surveyor does it. When a Quantity Surveyor does that, he is entitled to his 2½ per cent. But with those people who prepare their own specifications and give the Quantity Surveyor everything that is necessary ; if he makes an arrangement with his Architect to charge him 2 per cent. and give him a rebate of ½ per cent., I would not call that sharing fees ; it is simply paying the Architect for what he does, and what other Architects do not do.

THE PRESIDENT-IN-CHIEF : That will all come up under Item No. 5, which is going to be read next.

Col HURST : I think, Mr. President, I would like to get this off my chest while it is hot after lunch. Concerning that other matter, the deletion of that clause, we are only a young Institute, as an Institute goes ; we have only been in operation for a very short while, and I think it would be a wise policy to give this another year's trial. I think myself we cannot delete this clause. Let us give it a trial ; let us see how it works in a year's time, or in two years' time. We will then be having another Conference in Durban—I suggest in Durban ; let us then go into this matter and

see how it has worked. And if it is necessary then to delete it, there is plenty of time to delete it. This Institute will last for a long time ; it won't stop suddenly.

Mr. F. WILLIAMSON : In proposing an amendment I would like to advise members present that in my opinion the sole objection to this particular clause is the latter portion, "without notifying his Provincial Institute or the Board." That I think was Mr. Cowin's original objection to this particular clause. I doubt very much whether it was his intention, in making his original proposition, to delete the whole clause ; I feel myself that his intention was that the early part should remain. I would therefore propose the following amendment : that the earlier part of the clause should remain, and the latter portion only be omitted.

THE PRESIDENT-IN-CHIEF : That I think would be in direct conflict with the legal opinion on the matter—if you said, "It would be unprofessional conduct to deviate from, by charging less than, the charges laid down in the Regulations." That is the very thing which Parliament would not give us. Dr. Reitz said it was out of the question. I may inform you, gentlemen, that in our original draft Act we put that up to Parliament, and the Select Committee's reply was that no such a by-law exists in any professional registration Act ; there was no precedent for it whatever, and we were not likely to get it.

Mr. WILLIAMSON : So that it could not be enforced in any way—not with any other modification ?

THE PRESIDENT-IN-CHIEF : Not unless it were open to the individual to be able to do it by notifying his Provincial Institute.

Mr. WILLIAMSON : Would I be able to add to that, "In case of exceptional circumstances," or "Except in case of small work" ?

THE PRESIDENT-IN-CHIEF : No, I am afraid not.

Mr. RITCHIE-FALLON : If I might help Mr. Williamson out with a little suggestion there, Mr. President : could we not tack on to that an exception for work of a certain value, or work of a certain type ?

THE PRESIDENT-IN-CHIEF : That is Mr. Williamson's suggestion.

Mr. WILLIAMSON : The proposal I did intend to make, subject to your intimation, was, after "these Regulations" in that clause, to read, "except in cases of small works, the cost of which does not exceed one thousand pounds, and in all cases of new building contracts exceeding that amount." I am not altogether satisfied with that as an amendment, but suggest that something on those lines might meet the case.

THE PRESIDENT-IN-CHIEF : I take it you mean that you would permit the individual to deviate from these charges under certain circumstances ?

Mr. WILLIAMSON : Quite. My difficulty at the moment is to find out the exceptional circumstances,

or to detail correctly the exceptional circumstances, in which he would be justified in deviating from these charges.

Col. G. T. HURST: Might I just add one or two words? I think it would ease the situation a great deal if the Quantity Surveyors would do what we Architects do. We often have to draw many sketches and many trial plans: we get nothing for them. I think if the Quantity Surveyors did the same thing, on the question of variations and so forth, and called it a lump sum, whether it is rough or smooth.

THE PRESIDENT-IN-CHIEF: That will come under another resolution which will be brought forward. At the present moment I want you, gentlemen, to confine yourselves to the resolution before the meeting, which is that sub-section (1) be deleted.

Mr. ROWE-ROWE: Mr. President, I would like to move this amendment, that before any steps are taken with the intention of deleting or altering Clause 89 (1), that the legal opinion obtained by the Cape Institute be submitted to counsel for a considered opinion, to be submitted to the Central Council for their consideration.

Mr. RITCHIE-FALLON: May I ask Mr. Rowe-Rowe to elaborate that a little bit, so as to indicate the points upon which he thinks legal opinion ought to be sought?

Mr. ROWE-ROWE: On the whole clause.

THE PRESIDENT-IN-CHIEF: You are referring to this opinion Mr. Fallon read this morning?

Mr. ROWE-ROWE: The opinion of Messrs. Syfret, Godlonton and Low; to be submitted to counsel for a considered opinion.

THE PRESIDENT-IN-CHIEF: Would you put it forward as a suggestion that that is why (1) should be left in, so that we can get a vote on the matter? It is your opinion that (1) should not be deleted at the present moment, with a view to obtaining more information on the matter?

Mr. ROWE-ROWE: That is so.

Mr. RITCHIE-FALLON: Might I ask Mr. Rowe-Rowe to include in his suggestion section (s) on the same page? I think that, taken together with (1), has a certain bearing on the matter.

Mr. ROWE-ROWE: Yes.

Mr. D. M. BURTON: Mr. President, I just want to remind you that it is very dangerous to tinker about making an alteration to this particular clause. It goes a good deal farther than possibly many of the members realise. I would like to point out, if you delete this clause altogether, you are liable to have trouble if you have a magistrate's court case. I think it is rather dangerous, and before actually taking a vote, I would like every member to think well over that particular point.

THE PRESIDENT-IN-CHIEF: I think, gentlemen, we might vote on this matter now. The proposition is that sub-section (1) of Regulation 89 be deleted.

Mr. RITCHIE-FALLON: On a point of order: I don't think this Conference is entitled to vote on a matter of this sort.

THE PRESIDENT-IN-CHIEF: I mentioned at the outset, that whatever resolution is passed by this Congress is a recommendation to the Central Council.

A MEMBER: How about Mr. Rowe's amendment?

THE PRESIDENT-IN-CHIEF: Mr. Rowe-Rowe withdrew it; we can take his speech as a speech against the deletion of the clause, so that we could put it to the vote. Is that not so, Mr. Rowe?

Mr. ROWE-ROWE: That is quite right. If the original motion is negatived, of course, there is no necessity for mine. Except that I would like counsel's opinion to go before the Central Council, as a considered opinion.

THE PRESIDENT-IN-CHIEF: The Central Council intends to do that; I can give you that assurance.

THE PRESIDENT-IN-CHIEF: Gentlemen, the proposition before the meeting is that it be a recommendation to the Central Council that sub-section (1) of Regulation 89 be deleted.

On being put to the vote, the proposition was lost.

THE PRESIDENT-IN-CHIEF: Mr. Cowin is unable to be here, gentlemen, but he asked to move as a resolution, "That Quantity Surveyors' charges should be 2½ per cent. inclusive of everything, just as the Architects' charges are, of six per cent." I think he elaborated on that sufficiently for you to know exactly what it means. Does anyone wish to second that? I move that as a resolution on behalf of Mr. Cowin.

Mr. McWILLIAMS: I would like to second that. I am a foundation member of the South African Institute of Quantity Surveyors, and I am now a member of the Chapter, as well as a practising Architect. I can safely say that for 25 years we have issued our own quantities, mainly from our offices, practically in every instance, and in no case have we made any charge for the settlement account, for deductions or variations. I quite admit there are occasions when a great deal of labour is involved in the settlement, especially when a building has been pulled about a good deal after the contract has been signed. I think it is a very reasonable proposition, and I for one am quite willing to support it. I think it is only fair to draw a comparison between the practice of the Architects and the practice of the Quantity Surveyors—where an Architect in many instances, as we all know, has to prepare his drawings in the form of sketches and multitudines of estimates and small sketches, for variations that are never adopted, and there are very very seldom instances where those can be charged without great irritation to the client. Personally we do not, unless it is something very exceptional, make a charge

for them. I think it can be left to the discretion of the Architect and Quantity Surveyor to make a charge if the case were exceptional. I do admit, while we are on this regulation, that there should be nothing between the Architect and the Quantity Surveyor to prevent, if the case is a difficult one, that remuneration being paid.

THE PRESIDENT-IN-CHIEF: The matter is open for discussion, gentlemen.

Mr. T. MOORE: Mr. President, I practise solely as a Quantity Surveyor, and I have done so for a good many years. I am the senior practising Surveyor in the whole Union, as far as practising Quantity Surveyors are concerned. Mr. McWilliams forgets, in making his statement, that he had control of the quantities that he prepared in his office; he had control of the variations for which he was acting as Quantity Surveyor. Where I act as Quantity Surveyor I have no control whatsoever over the drawings, the variations or the specification; I simply have to adjust the facts of the case. It must be borne in mind that the Architect's work, to a great extent, is a matter of opinion. He is of opinion that the plan that he prepares originally is the right one; but then later on he comes to the opinion that it is the wrong one, and he alters it. The Quantity Surveyor's business is entirely different: he measures a thing, and that measurement is a question of fact; and when that fact goes into his quantities, he cannot alter it. He has no control over it at all. Another point is that Mr. McWilliams, I don't think has ever practised solely as a Quantity Surveyor; he does not know the difference between practising in the dual capacity and practising solely as a Quantity Surveyor. The position is entirely different, and I for one very strongly protest against any alteration in the scale of fees. That has been the practice, long before I was born, in other countries, and it has always been the practice in this country and was put into this Regulation after every consideration and after being thoroughly thrashed out before the Inaugural Board.

Mr. RITCHIE-FALLON: Mr. President, as a dual capacity member, as Mr. McWilliams is, I find myself entirely in disagreement with him. I quite realise that this system of charging for omissions and additions may be abused. But if I may be permitted to go back to a little statement that Mr. Cowin made in his proposition, he said it was up to both the professions, if I may call them two professions, to "play the game." And as far as I can see, there is no regulation that will adequately fit the bill as the words "playing the game" will. It is very dangerous, I quite realise, to leave a little sentence like that to be tossed about and everybody to define what is "playing the game." But I am still strongly of the opinion that there are cases when clients, with their eyes wide open, will come along and amend a job to such an extent that not only will it

cost them more in fees through the Quantity Surveyor, but it will cost them more in fees through the Architect. We may take it, from the architectural point of view, that it frequently happens that sketches are prepared and approved, and working drawings are got out. By this time the client suddenly wakes up and decides that he wants extensive alterations to those working drawings, the sketches for which have been approved. This is leaving the Quantity Surveyor's point out for the time being. According to our scale of charges there is a clause that provides for the client making alterations after he has approved of the sketch plans and working drawings—97 (e), page 51. This does not quite apply: I am looking for the clause where the client has approved the sketch drawings. Page 54, sub-section (n): "Should the client, having approved the design, and after the contract drawings have been prepared, require material alterations to be made, whether before or after the contract has been entered into, an extra charge under sub-paragraph (p) of this paragraph shall be made in proportion to the time occupied in such alterations. Then clause (p): "In the case of a charge by time, the rate shall be one guinea per hour or part thereof, with a minimum charge of three guineas." That provides for extra fees being paid by the client should he require variations made to his drawings, even before you get to the quantity surveyor stage. Now as far as the Quantity Surveyor is concerned, I think he is quite justified in a charge for omissions and additions that are purely in the will of the client; he has no control over these variations—no more has the Architect. But where it comes to the abuse of this position, as pointed out by Mr. Powers this morning, where huge P.C. sums, for instance, are omitted and an altered P.C. sum put in, this certainly should come under Mr. Cowin's heading of "playing the game." Therefore I am sorry I cannot agree with Mr. McWilliams' proposition, that a round figure sum of so much per cent. should be charged for the taking out of quantities for the job.

Mr. McWILLIAMS: I must confess that I had quite overlooked the fact that the Act had protected the Architect in the respect which the Vice-President has just mentioned. In view of that fact, although Mr. Cowin is not present, I would ask permission to withdraw my seconding.

THE PRESIDENT-IN-CHIEF: I think, gentlemen, it resolves itself into the position that it is almost impossible to frame a regulation to prevent abuse. The regulations, if carried out in the good spirit that they should be, are quite sound in principle, but you cannot prevent them being abused. The only thing is to try and raise the moral tone of both our professions in such a way that there is no fear of any abuse. Seeing that Mr. McWilliams has withdrawn his seconding, I will withdraw the proposal made on behalf of Mr. Cowin.

DR. REITZ' CONSIDERED OPINION ON THE REGULATIONS IN RESPECT OF UNPROFESSIONAL CONDUCT IN REGARD TO SHARING FEES.

By Mr. T. MOORE.

Mr. President-in-Chief and Members of the Institute and Chapter. Before reading the considered opinion of Dr. Hjalmar Reitz, LL.B., Honorary Member of the Chapter of Quantity Surveyors, on the subject of unprofessional conduct on the part of Architects and Quantity Surveyors with reference to the sharing of fees, I must explain how the question of this opinion arose. The Board of the Chapter were asked upon several occasions to give its interpretation of different regulations, more especially with regard to the Regulations regarding the sharing of fees. The Board referred the whole matter to the Practice Committee. As chairman of the Practice Committee, I wrote out the clauses and sub-sections in the Regulations which had any bearing on the subject—after which I consulted Dr. Reitz and asked his opinion and upon my suggestion he offered to write a considered opinion as to what the Regulations included—this opinion was submitted to the Board with a recommendation that a copy be attached to the minutes and sent to each member of the Chapter. The Board resolved to adopt the recommendation of the Practice Committee and a copy of the opinion was accordingly sent to each member of the Chapter.

Later arose the question of reading papers at the Congress and the Board of the Chapter resolved that, as a paper of interest to the professions of Architecture and Quantity Surveying, Dr. Reitz's opinion should be read and I was instructed to do so.

I will, now, Mr. President-in-Chief proceed to read the opinion of Dr. Reitz.

The Chapter of South African Quantity Surveyors.

UNPROFESSIONAL CONDUCT ON THE PART OF AN ARCHITECT OR QUANTITY SURVEYOR SHALL INCULDE INTER ALIA :

WITH REFERENCE TO THE SHARING OF FEES FOR QUANTITY SURVEYING WORK, THE REGULATIONS PROVIDE AS FOLLOWS—SEE SECTION 89 :

- (1) An Architect can enter into any form of partnership with a Quantity Surveyor whether the former is a Member of the Chapter or not—see Sub-section (e).

The Architect must inform his Provincial Committee that he has entered into partnership and if he is a Member of the Chapter he must also inform the Board—see sub-section (f). The Quantity Surveyor must inform the Board—see sub-section (f).

The information need only contain the bare fact that he has entered into partnership with Mr. So-and-so and need not give any details.

- (2) If an Architect who is not a Member of the Chapter pays a Quantity Surveyor less than the Scheduled Fee he must inform the Board—see sub-section (u).

If the Architect is a Member of the Chapter he need not inform the Board—see sub-section (u). The Quantity Surveyor who accepts less than the Scheduled Fee must inform the Board of the fact—see sub-section (l), and he must also give details as to how far he deviated from the Schedule—see sub-section (l).

- (3) If an Architect makes an inclusive charge for the Architectural work and the Quantity Surveying and pays the Quantity Surveyor less than the Scheduled Fee, the above rules hold, but if he purports to charge so much for the Architectural work and brings up an item of so much as having been paid to the Quantity Surveyor and pays the Quantity Surveyor less than the said amount so brought up, then *he is guilty of fraud*.
- (4) If an Architect pays the Quantity Surveyor the Scheduled Fee and the Quantity Surveyor returns a part of it to him the latter is sharing fees with the Architect and this he is not entitled to do, unless they are partners.
- (5) If the Architect and the Quantity Surveyor are in partnership then the Architect cannot bring up the item as having been paid to the Quantity Surveyor. He will have to bring it up as having been paid into the partnership of himself and the Quantity Surveyor.
- (6) So that an Architect can legally get the benefit of part of the work done by a Quantity Surveyor :
 - (a) By going into partnership with the latter either with regard to Architectural and Quantity Surveying work or only as regards the latter ; or
 - (b) By charging his client an inclusive fee for Architectural and Quantity Surveying work and then paying the Quantity Surveyor whatever the latter and he agree on.

But in both cases the Board will have notice. In

- (a) it will get notice by the Quantity Surveyor, and in
- (b) by the Architect and also by the Quantity Surveyor.

To act in any other way will constitute some or other form of unprofessional conduct.

(signed) HJ. REITZ,
Hon. M.C.Q.S.

The opinion just quoted is of very great interest and I should like to convey to Dr. Reitz the appreciation and thanks of the Delegates to this Congress for time and thought he has devoted to the framing of it.

I should like to make it quite clear that the opinion is only as to how the Regulations define unprofessional conduct on the part of an Architect or Quantity Surveyor.

Not how to strengthen any weaknesses in the Regulations nor how to remove any ambiguity.

Whilst upon the question of the sharing of fees I should like to quote a suppositious case.

"Q.S." has been accustomed to doing Quantity Surveying work for "A" for some years prior to the Act coming into force and for less than the total fee of 2½ per cent.

After the Act came into force "A" sent the drawings for a building to "Q.S." with a request that he prepare the Quantities, no mention being made as to fees.

When the Quantity Surveying work was completed, "A" sent to "Q.S." a cheque representing the fees upon the scale formerly paid (i.e., less than 2½ per cent.).

What is the position?

Did "Q.S." when asked by "A" to do the Quantity work tacitly agree to accept less than 2½ per cent.?

If so then "Q.S." should clearly have notified the Board at the time—*vide* clause 89 (b), which reads: "of his *intention* to do so and the *extent* of such deviation."

The italics are mine.

If "A" is not a member of the Chapter he should have notified the Board *vide* clause 89 (u).

Therefore "Q.S." by not notifying the Board as demanded by 89 (l), has been guilty of unprofessional conduct. Note that in this clause 89 sub-section (l) it distinctly states, "his intention." It is not intended for the notification to come *after* the work is completed.

And "A," by not notifying the Board as demanded by 89 (u), has been guilty of unprofessional conduct, but according to the opinion of Dr. Reitz—see his opinion later part of clause 3, "A" has been guilty of fraud.

Both parties come under the Authority of the Board—see 89 (l) and 89 (u).

But whilst on this subject I must bring to your notice another aspect of the case and a very far reaching one indeed. The Quantity Surveyors' Association, London, in 1906, went very carefully into the question of commissions as is instanced by the following extract from the Year Book.

THE QUANTITY SURVEYORS' ASSOCIATION. (Incorporated.)

SHARING COMMISSIONS WITH ARCHITECTS.

The Council have been considering to what extent, if any, the relation, in some cases, existing between the Quantity Surveyor and the Architect can be held to contravene the law and especially the provisions of the Prevention of Corruption Act, 1906 which came into force on 1st January last the 1st Section of which Act is as follows:—

- (1) "If any agent corruptly accepts or obtains, or agrees to accept or attempts to obtain, from any person, for himself or for any other person, any gift or consideration as an inducement or reward for doing or forbearing to do, or for having after the passing of this Act done or forborne to do, any act in relation to his principal's affairs or business, or for showing or forbearing to show favour or disfavour to any person in relation to his principal's affairs or business; or

"If any person corruptly gives or agrees to give or offers any gift or consideration to any agent as an inducement or reward for doing or forbearing to do, or for having after the passing of this Act done or forborne to do, any act in relation to his principal's affairs or business or for showing or forbearing to show favour or disfavour to any person in relation to his principal's affairs or business; or

"If any person knowingly gives to any agent, or if any agent knowingly uses with intent to deceive his principal any receipt, account, or other document in respect of which the principal is interested, and which contains any statement which is false or erroneous or defective in any material particular, and which to his knowledge is intended to mislead the principal; he shall be guilty of a misdemeanour, and shall be liable on conviction on indictment to imprisonment, with or without hard labour, for a term not exceeding two years, or to a fine not exceeding five hundred pounds, or to both such imprisonment, and such fine, or on summary conviction to imprisonment, with or without hard labour, for a term not exceeding four months, or to a fine not exceeding fifty pounds, or to both such imprisonment and such fine.

- (2) "For the purposes of this Act the expression 'consideration' includes valuable consideration of any kind; the expression 'agent' includes any person employed by or acting for another; and the expression 'principal' includes an employer.
- (3) "A person serving under the Crown or under any Corporation or any municipal, borough, county, or district council, or any board of guardians, is an agent within the meaning of this Act."

The Council have consulted one of the most eminent King's Counsel on the subject and have obtained his opinion (which they considered to be

irrefutable), and which is to the effect that it is a breach of the prevention of Corruption Act for a Surveyor to share, by way of commission, any part of his fees with the Architect without the knowledge of the Building Owner, and such sharing would render both the Surveyor and Architect liable to the penalties of the Act, but that if the Architect renders *bona fide* assistance to the Surveyor, even without the knowledge of the employer, it is not a breach of this Act for the Surveyor to pay the Architect for such *bona fide* assistance.

In the latter case, however, the Architect must inform his client (the Building Owner) of the transaction, and he is accountable to him for the amount so received, as the following extract from a judgment of the late Lord Bowen clearly shows:—

"The agent commits a wrongful act, whether the profit is given him in return for services which he actually performs for the third party, or whether it be given him for his supposed influence, or whether it be given him on any other ground at all. If it is profit which arises on the transaction it belongs to the master, and the servant has no right to take it, or keep it, or bargain for it, or receive it without bargain, unless his master knows it."

The Council have, in addition, been in correspondence with the Council of the Royal Institute of British Architects, and learns that the following declaration was issued by that body previous to the passing of the Prevention of Corruption Act.

"SHARING COMMISSIONS WITH QUANTITY SURVEYORS."

"It having recently been stated to the Council of the Royal Institute of British Architects that the charges made by Quantity Surveyors are sometimes shared by the Architect, and such a practice, if it really exist, being open to great and obvious objection, the Council HEREBY PUBLICLY DECLARE that, for the future, such practice if proved will be deemed conduct, which in the opinion of the Council is derogatory to the professional character of any Fellow or any Associate of the Institute."

Walter Richard Hood, F.S.I.,

President.

Arthur George Cross, F.S.I.,
Honorary Secretary.

The Quantity Surveyors Association has since been amalgamated with the Surveyors' Institute, Great Britain.

It will be seen from the foregoing that the Royal Institute of British Architects issued a declaration denouncing sharing of fees before 1906.

In the Journal of the Royal Institute of British Architects—January, 1924, the Council of the Institute issued a further warning as hereunder:

QUANTITY SURVEYORS' FEES.

"The Practice Standing Committee have drawn the attention of the Council to the practice of certain architects secretly arranging with their Quantity Surveyors for a percentage of the Surveyors' fees to be paid to them. The Council desire to warn Members and Licentiates that such practice is contrary to professional etiquette, is objectionable and immoral, and that disciplinary measures will be taken if specific cases of it are brought to the Council's notice."

Whilst not bearing upon the "sharing of fees" there is a curious anomaly in connection with them. So far as I am aware there is no profession which allows its members to charge upon another professional man's fees.

But by the inclusion of the Quantity Surveyor's fees and expenses in the Bills of Quantities *and consequently in the contract* the Architect makes a charge of 6 per cent. upon the Quantity Surveyors $2\frac{1}{2}$ per cent., e.g., an Architect carries out say £1,000,000 worth of work—the Quantity Surveyor's charges contained therein would be £24,000—upon this sum of £24,000 the Architect charges 6 per cent. or £1,440, a fee which I consider any thinking man will at once see the Architect should not be entitled to. Again if the Architect is practising in the dual capacity of Architect and Quantity Surveyor he is charging his client £1,440 on his *own* fees.

In conclusion, Mr. President-in-Chief and Members of the Institute and Chapter, I wish to thank you for giving me this opportunity of bringing the opinion of Dr. Reitz to your notice. Any questions arising out of my few remarks I shall be glad to answer to the best of my ability.

Discussion on Mr. Moore's Paper.

Mr. RITCHIE-FALLON: Mr. President and Gentlemen: I should like to ask Mr. Moore a question on his paper. We very much appreciate it. I would like to put a hypothetical case to him, such as I hinted at in this morning's session. We will assume the case of an Architect who is in the dual capacity of Architect and Quantity Surveyor. He entrusts a Quantity Surveyor, an independent practitioner, with the preparation of quantities for certain work. He is in the habit of having his quantities prepared in his own office; we will even assume that he follows the standard system, as nearly as any of the Quantity Surveyors do in the varying provinces. He has one or two particular little tweaks of his own, and in order to make quite sure that everything shall be on the same basis as the work that he is in the habit of turning out in his office, he approaches the Quantity Surveyor and says, "Look here, I am going to write the draft bill of quantities for you. In the form that I usually issue them from my office, and with a clear statement of what I want under the different items. I may, it only being a draft, have missed one or two odds and ends. I wish you, before including anything that you think desirable in your draft, to refer to me. In other words, I wish you to submit your draft to me, drawing my attention to anything that you have added to my draft. Now,

what are you going to charge me for these services, on the supposition that the Architect is going to charge fees for the architectural work, and the Quantity Surveying work, direct to the client?" My question really amounts to this: I would like to hear Mr. Moore on what he has, if anything, against that proposition. It leads me into another little point that I have noted here, which, with the Presidents' permission, I will touch on, although it is really outside of the item: the charging of quantity surveyors' fees through the builder. Personally, my firm have made a practice of always charging these fees direct, principally because we consider it highly undesirable that the builder should be even responsible for the payment of any fees to the Architect, who is the man placed in the judicial capacity as between the two contracting parties. That would dispose of Mr. Moore's note as to the Architects getting commission on commission, whether it is their own commission or the Quantity Surveyors' commission. And I should like to hear other members of the Congress express their views on that. One of the strongest arguments I have found in favour of doing that is putting it baldly to the client and asking him whether he is prepared to pay commission on commission, and he generally crumples up and says, "No, he would rather not."

Mr. MOORE: Could I answer Mr. Fallon now? I understand Mr. Fallon's question was, "What was your position if you charge an inclusive fee for the architectural work and the quantity work?"

Mr. RITCHIE-FALLON: No, not quite that. If I may qualify it, Mr. President: What was the Quantity Surveyor's idea of my proposition if I come along to him and say, "This is what I want. Here is your skeleton bill. I want to know your fees to me for measuring this work and filling it in."

Mr. MOORE: In that case, Mr. President, I can answer Mr. Fallon very quickly. I should say, and Mr. Fallon knows perfectly well I am not saying this in any unkind spirit; I should say that the preparation of that skeleton bill of quantities, first of all, was a waste of time. And then I should say it was simply a means of getting part of the Quantity Surveyor's commission, because you cannot tell what the bill of quantities will be until you have measured the work. It is absolutely impossible to do it properly. Another point I should like to impress upon Mr. Fallon is, that nothing would make me undertake work under these conditions. I should think it would be very derogatory to me as a Quantity Surveyor to be told how my quantities were to be prepared, how I shall measure a thing, and what I was to include. You say you wish the draft submitted to you to be approved. How can a man, a Surveyor of repute when he had once measured a thing and included it in the bill of quantities, bring it to you to know whether he should cut it out again? If he has measured it and put it in, it must be in the specification and drawings, and it must be necessary for the proper completion of that bill of quantities. Therefore, the Quantity Surveyor who would work on those lines—I don't know whether anybody has ever done so, but I should say he would be inclined to be weak—would be a man inclined to look at the fee he was getting rather than at the work

he was doing. I should certainly never do it myself. There was one other question I made a note of, in the work Mr. Fallon mentioned when he signed the quantities.

Mr. RITCHIE-FALLON: The Quantity Surveyor—the schedule of quantities, supposing you come down to personalities in this case, would bear my name and Mr. Moore's; my name as the Architect, and Mr. Moore's as the Quantity Surveyor. While I am on my feet Mr. President, there is one point I would like to deal with. Mr. Moore is taking exception to the Architect varying any item in the bill of quantities. The exception might be justified in that the Quantity Surveyor had misunderstood the Architect's complete details, when the quantities are prepared; and I have had it from several reputable firms of Quantity Surveyors that they have misunderstood reasonable working drawings, details and a fairly full specification.

Col. G. T. HURST: I think if Mr. Fallon's idea were carried out, it would be a case of the Architect arrogating to himself the writing of the captions to the news.

THE PRESIDENT-IN-CHIEF: I think what Mr. Fallon really wanted to ask was this: he being a Quantity Surveyor, and Mr. Moore being a Quantity Surveyor, if he as a Quantity Surveyor assisted Mr. Moore by doing a certain amount of quantity surveying work in connection with that job, would Mr. Moore be permitted to remunerate him for the particular work that he did? Well, now, who on earth can say otherwise than that, if Mr. Moore agrees to do the work under those circumstances, he should remunerate Mr. Fallon, who is a Quantity Surveyor, for the amount of work that he has assisted with in preparing the quantities? That is all it amounts to. It would be a different matter if Mr. Fallon were not a Quantity Surveyor. But if Mr. Fallon is a Quantity Surveyor, and Mr. Moore is a Quantity Surveyor, and Mr. Fallon says, "I have not time to do the whole of this job. I will do a portion of it; will you take on the rest. Put it in your name. Pay me for the services I have rendered to you in preparing those quantities."

Mr. MOORE: That is not the point. In the case you mention I become Mr. Fallon's servant; the point is quite clear if Mr. Fallon, as a Quantity Surveyor, asks me to assist him with his quantities. Then he pays me a fee for doing that; he pays me so much per hour, so much for the day, or anything he likes. But he issues the quantities, he signs the quantities, and he is the responsible Quantity Surveyor, and I am Mr. Fallon's servant. That is all; I am not the Quantity Surveyor for Mr. Fallon.

THE PRESIDENT-IN-CHIEF: But take the reverse position. He says to you, "I have a job. You are a Quantity Surveyor; I am a Quantity Surveyor. You take over this job of quantities. I have done half of it. Will you take it over and put it in your name?" If you are willing to do that, surely you are entitled to remunerate him for what he has done in connection with it. You may not be willing to do it, but provided you are willing to do it, surely you should remunerate him for what he has done for you?

Mr. MOORE: I don't see that. First of all, I don't see that I am entitled under these regulations to do such a thing. If Mr. Fallon is an Architect, acting in the dual capacity of Architect and Quantity Surveyor, and gets half way through a job and then asks me to finish it and put my name to it, I am sharing fees with the Architect. It would be a clear case of sharing fees, and nothing else.

Mr. SINCLAIR: That is a case of sharing fees with another Quantity Surveyor.

Mr. MOORE: Mr. Fallon can share fees with me if he notifies his Institute that I am his partner.

Mr. SINCLAIR: We must forget for one moment that Mr. Fallon is an Architect. He is a Quantity Surveyor under the Chapter, and a member of the Chapter.

Mr. RITCHIE-FALLON: With your kind permission, Mr. President, I would still like to be an Architect, and I think further down on the Agenda you see that there are two of three "ors" under my name for papers to be read before this Congress. I really meant to take only one and cut out the others; they were sent as alternatives. One is "Specified Schedules of Quantities." Now it happens to be my office practice to eliminate the specification altogether. I only have one document in connection with the drawing. From the organisation point of view of the Architect, I find it is excellent, with one great proviso: that they are SPECIFIED QUANTITIES (in capital letters). I have seen many specimens of specified schedules that I would not pay one per cent. for, much less two and a half. But for a really specified schedule of quantities, I think they are worth 2½ per cent. Now that happens to be my office practice, to write out the schedule, which is the only document I give to the Quantity Surveyor. I don't write a specification. I don't wander off, as specifications generally do, into two or three trades. I separate them all. And I find, from years of experience, that is a very excellent system. I am not proposing to read the paper on Specified Schedules, because I reckon we have a very big agenda, but with the President's permission, I might just bring this in here and say this would be a fitting sort of basis upon which to consider it.

Mr. MOORE: In reply to that, Mr. President, I should like to say that I am in sympathy with Mr. Fallon's practice. For the man who is practising as Architect and Quantity Surveyor, there is nothing better than the specified bill of quantities, the specified schedule. If I was asked to advise, I should certainly advise everybody in the dual capacity to do the work that way: otherwise they prepare plans, they prepare the quantities and then they write the specifications. By the other method they prepare the plans and they do the schedule of quantities and specifications together. There is no question to my mind that it is far and away the best principle to adopt, and I am very pleased to be able to support Mr. Fallon in that contention.

Col. W. E. PUNTIS (Pretoria): Mr. President, I would like to ask Mr. Ritchie-Fallon, in what respect does he think that by giving the Quantity Surveyor a bill with certain information—let us call it his descrip-

tions, his specified descriptions—in what way does he think that will diminish the work of the Quantity Surveyor.

Mr. RITCHIE-FALLON: With regard to my own system of Quantity Surveying I believe I follow the Scotch system, and most of the Quantity Surveyors in South Africa, the solo practitioners in South Africa, follow the London system. Personally I was trained in the Scotch system. So, as far as the purely Quantity Surveyors present are concerned, I think even that little statement will satisfy Col. Puntis. But for the gentlemen present that are not aware of the two systems, let me say the Scotch system takes out trade by trade and finishes off trade by trade; not that they should be irrevocably finished and not gone back to, but they may be gone back to and added to from time to time. The London system, although I have not been trained in it and have only a smattering of it—I may be wrong—takes off every piece of the building, piece by piece, involves an enormous abstract. I will say this is favour of it, that as a rule it is much more thorough than the Scotch system; but it is so thorough that it is right at the other end of the stick. And I have a complaint generally to make against my Quantity Surveyor, that is, if I have a job, as Mr. Moore mentioned a little while ago, that I hand over to-night and want the bills to-morrow; if I have a job in the office that I want taken out with anything like speed, and I consult my Quantity Surveyor, he tells me very nicely, "He is sorry, He is snowed up until next week. But then he will be able to tackle it." All right, I don't mind that. But the next thing: he comes along and cannot possibly get this bill I want out within so many days, or weeks as the case may be. I do know this from the Scotch system, that if I like to put a wet towel round my head I can do it in half the time that the London system takes; well, say two-thirds; or three-quarters. If the Quantity Surveyor is going to take it out on the London system, and go in for this enormous abstract, it does not really save him much beyond the writing up of the actual bill. Having got his abstract completed, he has to hunt through my bill in the form I wanted it drawn, and fill in the items; so it saves a certain amount of clerical work. On the other hand, if he happens to run his quantities on the Scotch system, it saves him quite an enormous amount of time.

Col. PUNTIS: In reply to Mr. Fallon, I would like to say the principles are precisely the same, as far as I can see. If Mr. Fallon sometimes adopts the system he says he does, the Scotch system, then in the first place he has to engage a surveyor who is accustomed to the Scotch system. If he adopts the London system, or the South African system, which is based on the London system to a large extent, then he has to go into the minute detail that he refers to. In either case, in my opinion, the work of the Surveyor is relatively the same. In measuring on the Scotch system by which one measures by trades one still has to take out the dimensions on paper, but not abstract and bill them separately as in the London system. In my opinion it involves a small amount of extra work and labour to the Surveyor if either method is adopted, because one cannot get two Surveyors who measure alike. One has therefore to go through all the dimensions from top to bottom, whether measured by trade or the London

system; put all the items down, and select those items and fit them in with the bill Mr. Ritchie-Fallon would submit to his Surveyor. I contend that that system involves on the Surveyor more work than if he were to sit down and start with the Scotch system and present the bill without the specified bill Mr. Fallon presents to him. The Surveyor's fees therefore ought to be more than two and half per cent.

Mr. MOORE: With regard to the question of the Scotch system, versus other systems, I should like to say I have done work in accordance with the Scotch system, with what we used to term the North of England system, and the London system, and also another system which was a mixture of all of them, and that is the Melbourne system, and again now the South African system. And I can assure you, to the thoroughly qualified Surveyor it makes no difference which way you do it. You have got to measure the deduction of the brick-work when you take the doorway, whether you do it with the London system or the Scotch system; you have to measure your glass. The only thing is, in the Scotch system you total up your items on a dimension sheet, and in the other case you abstract them on to another sheet. But you must remember, Mr. President, in the London system all that abstracting is done by the junior in the office, the very lowly-paid man. In the Scotch system the totalling up of the sheets is usually done by the taker-off, the highly-paid man. We found the Scotch system, wherever I have been connected with it, took just as long to prepare a bill of quantities as the London system. I quite agree with Mr. Fallon, the Scotch system is not so accurate, which is borne out by the fact that when in London you prepare a set of quantities you never check the quantities. But in the Scotch system you re-measure every bit of work because you cannot trust the quantities!

Mr. A. G. CROSS: Mr. President, I would like to put one line of thought before the meeting. According to an authority I have read, it is stated that it costs an Architect 60 per cent. of his fees to obtain his work and to carry it out. He is quite silent on the point with regard to what it costs the Quantity Surveyor to get his work. But when an Architect gets his work to-day, when it is over a certain amount it automatically becomes a Quantity Surveyor's job; surely the Quantity Surveyor should contribute towards the cost of obtaining the work? I should like that thrashed out in this meeting.

Mr. MOORE: Mr. Cross has asked me how much it costs to get the work. Well, Mr. President, it may sound very rotten, but I can tell you it never costs me a penny to get work. I have for years been working at Delagoa Bay and in Portuguese East Africa. Lots of people will tell you you can only get work there by spending money ("Graft"!) I can assure you, Mr. President, that in the whole of my experience in Portuguese East Africa, in more than one town, my work has never cost me a penny to get. That is the only answer I can make to Mr. Cross.

Mr. W. H. PRIESTLEY (Durban): Mr. President, arising out of the first part of Dr. Reitz's opinion, that an Architect can enter into any form of partnership with a Quantity Surveyor whether the former is a member of the Chapter or not, and the next paragraph, down to "The information need only contain the bare fact that he has entered into partnership

with Mr. So-and-so and need not give any details." I would like to ask Mr. Moore a question arising out of that clause. Is it legal for a Quantity Surveyor to enter into partnership with any number of Architects, all contracting parties to the several partnerships? I ask this question because in the event of the answer being in the affirmative, it places an unscrupulous Quantity Surveyor in the position of getting together a large clientele and executing their work for a cheap fee, and offending no by-law. All he is asked for is, "The information need only contain the bare fact that he has entered into partnership with Mr. So-and-so and need not give any details."

Mr. MOORE: Mr. President, in reply to Mr. Priestley, Dr. Reitz's interpretation of the Act is I think quite plain. "An Architect can enter into any form of partnership with a Quantity Surveyor whether the former is a member of the Chapter or not," "provided that nothing herein shall be deemed to prevent an Architect from entering into partnership with a Quantity Surveyor." In my opinion, and in Dr. Reitz's, an Architect can enter into a partnership with any number of Quantity Surveyors merely by notifying the Board to that effect, and his Provincial Institute.

Mr. PRIESTLEY: My point is a Quantity Surveyor entering into partnership with a number of Architects; not *vice versa*.

Mr. MOORE: "Provided that nothing herein shall be deemed to prevent an Architect from entering into partnership with a Quantity Surveyor." It is the same thing if you reverse it: nothing would prevent a Quantity Surveyor from entering into partnership with an Architect. There is nothing defined as to the number of partnerships, so I think it would be quite possible to have a man with more than one partner, provided he notifies the Board or the Provincial Institute.

Mr. PRIESTLEY: Do I take it in all these cases the information need only contain the bare fact that he has entered into partnership?

Mr. MOORE: That is all. The Regulation does not go beyond that.

Mr. PRIESTLEY: He need not give any details as to what the partnership consists of? Supposing, he says, for instance, he makes a contract for $1\frac{1}{4}$ per cent., and another for $1\frac{1}{2}$.

Mr. MOORE: He cannot do that.

Mr. PRIESTLEY: But according to this opinion "The information need only contain the bare fact that he has entered into partnership with Mr. So-and-so and need not give any details."

Mr. MOORE: There is no question of sharing fees. That money has to go into the partnership. That is laid down by Dr. Reitz: the fees go into the partnership between the two. It is not a question of sharing fees. I would like to point out that that is sharing the profits of the partnership; it is not sharing fees, not sharing commissions.

THE PRESIDENT-IN-CHIEF: Gentlemen, there being no particular resolution in connection with this paper, I am sure you all thank Mr. Moore very much for the trouble he has gone to in compiling this very interesting paper.

ALTERATION OF THE INITIALS USED BY MEMBERS.

By COL. G. T. HURST.

Col. HURST: Mr. President and Gentlemen: I have no paper to read, and what I have to say now won't take me very long. The initials M.I.A. do not convey any national or geographical description; they are not geographically or nationally descriptive enough. In every country where they have an Institute of Architects the initial letters of the bodies are given in full, I think almost without exception. I have never been able to understand why in the case of our Institute here, the initial letters were cut down to M.I.A. Of course, it is a debatable point in South Africa whether any initial is required at all, because if a man calls himself an Architect, he must be a Registered Architect. But I think we have sufficient pride in our country to include in the initial letters we use, the two initials, S.A., South Africa. I do not think that the writing of these initials, M.I.S.A.A., will be a very great burden to us, because we haven't so much work that we require to write them every five minutes of the day. I certainly think, Sir, it would be a good thing if we were to go back to fundamentals and write the initials M.I.S.A.A., and thus give the Institute its full name. I might say, Sir, I brought this up before my Institute and they were behind me in the matter; and I now bring it forward as a recommendation to the Central Council to alter our initials from M.I.A. to M.I.S.A.A. That is all I wish to say; I hope somebody else will back me up.

Mr. ROWE-ROWE: I beg to second that proposition. At the same time I would like to point out that the by-law really says, "*should* style himself": it does not say "*must* style himself." It is really permissive.

Mr. R. H. JONES: The initials of the Civil Engineers in London read "Mice"—M.I.C.E. "Misaa" would not be much better. I think the shorter title is the better one.

Mr. MOORE: It may be of interest to members to know that in Australia the same initials are employed, M.I.A., "Member of the Institute of Architects." If the title is altered and the initials "S.A." added, we should have to do the same with the quantity surveyors, and then you would get "M.C.S.A.Q.S." Mr. President, it sounds like a cheese! I think it should be left at the simple "M.I.A."

Mr. RITCHIE-FALLON: Another alternative suggests itself to me, listening to the gentleman preceding myself, that the title might very easily be "South African Architect"—"S.A.A."; South African Quantity Surveyor—"S.A.Q.S."; because membership is universal as far as any of us are concerned. We are registered; one cannot call himself an Architect or a

Quantity Surveyor unless he does belong to the Institute. I would, therefore, suggest the consideration of "S.A.A." for the Architects, and "S.A.Q.S." for the Quantity Surveyors.

Mr. J. BUCKLEY (Durban): I would like to ask you, Sir, what is your opinion in regard to the fact that you are a member of the Royal Institute of Victorian Architects?

THE PRESIDENT-IN-CHIEF: I take it Mr. Moore refers to some combined association throughout Australia.

Mr. MOORE: Yes.

THE PRESIDENT-IN-CHIEF: I think they have federated now, and this is the initial of the Federated Society apparently. I may say, gentlemen, this is nothing new to us. It has been discussed by the Inaugural Board for days and days and days, and all the M.I.S.A.A.'s and all the rest of them have been before the Inaugural Board; and Dr. Reitz had a good deal to do with this, and it was at his suggestion that it boiled down to these particular letters that are here. But that does not alter the fact that if you wish to have them altered, they can be altered. I suggest that should not be done unless there is some very sound reason for it; as someone suggested before, we should not tamper with these Regulations unless there is some real object in it.

Col. HURST: The reason is that the present title is not sufficiently descriptive. What does "M.I.A." mean in Canada, or in Australia? It is not sufficiently descriptive, or nationally descriptive. And for the matter of putting in the "S.A."—I think that is very little trouble to ask an Architect to do.

Mr. W. F. WALDECK (Bloemfontein): Mr. President, should there be an Empire Congress, for instance, and members attend from different countries, what would it sound like if you came there with the initials "M.I.A."? What is "M.I.A."?—"Member of the Institute of Architects." Which Institute? That is a question that is bound to come up in that case.

THE PRESIDENT-IN-CHIEF: Yes, there is that about it.

Mr. D. M. SINCLAIR: Mr. President, may I ask one question? Perhaps you may be able to answer me. I believe originally in the registration body the M.I.S.A.A. was suggested; it was only the Inaugural Board that altered it to M.I.A.?

THE PRESIDENT-IN CHIEF: Yes, that may be.

Mr. CROSS: Might I suggest that it might be M.I.A. (Africa). If you only use the extra initial "A," it might stand for Australia.

Mr. J. S. DONALDSON (Johannesburg): Mr. President, if you read the regulation, one has a right to sign "M.I.S.A.A." "Every member whose name appears on the register should style himself 'Member of the Institute of South African Architects' and use the abbreviation 'M.I.A.'" What is to prevent them using the abbreviation "M.I.S.A.A."?

Mr. ROWE-ROWE: That is why I pointed out that it is permissive

THE PRESIDENT-IN-CHIEF: Is that advisable? I think it is advisable that we should all use the same letters.

Mr. DONALDSON: It is laid down here clearly, "should style himself."

Col. HURST: These other two suggestions that have been made are really the same as mine; a distinction without a difference. I would like these other suggestions to be withdrawn and members to use the full initials of the Institute. I want the profession to be proud of South Africa; not to be ashamed to put "S.A." in it.

Mr. DONALDSON: Seeing that one could use it under the Act, why not agree to the "M.I.S.A.A."?

Mr. CROSS: "S.A." may not stand for "South Africa" only; it can stand for "South Australia" and "South America." There is that difficulty, and the only way to get over the difficulty is to write "South Africa" or "Africa." We may have a World Conference, we may have a Conference of the Dominions, and in that case we are not defined at all. I would like to move that the initials should be "M.I.A. (S. Africa)."

Mr. JONES: If a member were a delegate in Europe, wouldn't he in the ordinary course define himself? Why should we put all this on to our correspondence? It complicates it.

Mr. MOORE: I think we should bear in mind that that is an abbreviation, and that was very seriously considered by the Inaugural Board at the time this regulation was drafted. For instance, if you look at the Chapter of Quantity Surveyors: the abbreviation for that is "M.C.Q.S." But if you make it "M.C.S.A.Q.S.," I don't see very much abbreviation. If you make the other one, "M.I.A. (S. Africa)" I don't see very much abbreviation.

Mr. McWILLIAMS: Mr. President, I hope the members present are going to support the regulations as they stand. In some ways I sympathise with the suggestion to increase the number of letters, but on the other hand, I think it is only for South African use. If one goes to an Empire Conference, I think you would be surprised how very few there are who go from South Africa to represent this country in any of these functions; and if they do, it is quite a feasible thing, if they wish to have it emphasised, to get their names on the register with the addition of the words "South Africa." In any case, if it is a properly organised conference, the delegates would have that automatically put on—where they come from, notwithstanding the initials. I for one think that the more it is abbreviated the better it is, as long as it serves its purpose in this country.

Mr. CROSS: It has just occurred to me that the Royal Institute of British Architects recommends that the words be written in full in describing Fellows of the Institute. I have seen it done in many instances, where the Fellows of the Institute use the full title.

Mr. HAROLD PORTER: I support Mr. McWilliams, that the title remains as it is. We are in an age now of getting through things as quickly as we possibly can. Why should we belabour ourselves with long initials? Let us stick to the M.I.A. The Inaugural Board thoroughly discussed it, and I think it meets the case.

On being put to the vote, the amendment that the title be "M.I.A. (S. Africa)," was lost.

The original proposition that the title be enlarged to "M.I.S.A.A." was also lost.

THE CONGRESS BANQUET.

A Banquet in connection with the Congress was held at the Carlton Hotel, Johannesburg, on Monday, December 3rd, the President-in-Chief (Mr. R. HOWDEN) in the Chair.

THE PRESIDENT-IN-CHIEF proposed the Toast of "The King," and in doing so referred to the serious illness of His Majesty and expressed the hope that he would be speedily restored to health.

THE PRESIDENT-IN-CHIEF proposed the Toast of "The Governor-General."

THE PRESIDENT-IN-CHIEF: Ladies and Gentlemen, I rise to propose the Toast of "The Union of South Africa." The Union of South Africa politically has established a precedent that nearly every institution in the country found it necessary sooner or later to follow. The provincial institutions controlling the domestic policies of their provinces prayed for some Union authority which could correlate and co-ordinate their varied laws and at the same time deal with all matters of a Union nature. The Architects and Quantity Surveyors of South Africa soon found that they would be left well behind if they did not follow the example set by these other institutions. In 1909 the Transvaal Government granted to the Architects of the Transvaal their first Registration Act. This Act was of rather a unique character in that this was the first part of the British Empire to receive such statutory qualification.

I well remember those days when Mr. Beyers, the present Minister of Mines, was Chairman of the Select Committee, and, when some members of that Committee rebuked us for having the audacity to come forward with a Bill for which we had no precedent in the British Empire, Mr. Beyers said, "Gentlemen, if this Bill be just and sound in principle; if it be in the interests of the profession and the public generally, why should we worry what other people have?" And on those lines Mr. Beyers helped our Bill through Parliament in 1909.

Since that date, or rather, since Union, we have had Committees sitting drafting and re-drafting an Act for the Union of South Africa. The number of draft Acts that we have prepared and scrapped is legion. In 1927 we managed to prepare an Act, a draft of which was acceptable to Parliament, with slight modifications, and in 1927 Parliament granted us this new Act. Now this new Act was also unique; it was unique in that it was an Act not only for Architects, but for Quantity Surveyors as well. And the position of the Quantity Surveyors was still more unique in that they were not only the first Quantity Surveyors in the Empire to obtain a Quantity Surveyors' Act, but they were the first Quantity Surveyors to receive statutory qualification in the whole world.

Now, Ladies and Gentlemen, we are naturally pleased with our Act of 1927. For one reason we are pleased with that Act for the protection that it gives to the students of to-day, who are the practitioners of the future. We have established in the Universities of the Cape and the Witwatersrand, Chairs of Architecture, ably controlled by professors and a staff of teachers and maintained at a high order by the University Authorities. Now, all those students have to do to-day is to attend for five years, take the University course, pass their examinations and then come out to practise. But all this would be of no avail if our Act had not provided that, when they do come out to practise, they are protected from the unqualified man.

Another reason why we are pleased with our Act is that provision is made, machinery is provided, for the profession to speak with a unanimous voice for the whole of South Africa; that is, we have a Central Council representative of the several Provinces, which can speak for the profession as one body.

Now, ladies and gentlemen, we have a very obstreperous class of people to deal with, called Builders. These Builders reckon they are streets ahead of Architects in organisation and control of their members. It is true, they have a Federation and an Executive to speak on behalf of Master Builders throughout South Africa. But, ladies and gentlemen, we also have a similar Executive empowered to speak on behalf of the Architects and Quantity Surveyors in South Africa. Now you would have thought, with those ideals having been reached, that we would have been able to eliminate all our differences up to the present. If anyone can tell us how to get over the difficulty, when you have every member of the Executive of the Master Builders giving you an emphatic "Yes," and every member of the Council representing the Architects and Quantity Surveyors of South Africa giving you an emphatic "No," we shall be very glad to be helped out of that difficulty.

Another reason, ladies and gentlemen, why we are very pleased with our Bill is that we know that we got the very best Bill that Parliament could have given us in 1927. We know this because of the able hands in which we placed that Bill for its passage through Parliament, namely, those of Dr. Reitz. Dr. Reitz worked strenuously on behalf of Architects and Quantity Surveyors during that Parliamentary Session of 1927, and the thanks of the two professions are due to him for what he did for us. But, ladies and gentlemen, Dr. Reitz, I think, is a much more enlightened man to-day than he was before he met Architects and Quantity Surveyors. I remember when we approached the Doctor and asked him to introduce this Bill into the House, he said, "Well, I have met an Architect or two. I have a faint idea of what their work is. But tell me, what on earth is a Quantity Surveyor?" Now, I can assure you to-day, ladies and gentlemen, what Dr. Reitz doesn't know about Architects and Quantity Surveyors

is not worth knowing. And I can assure Dr. Reitz that the two professions are so satisfied with his mastery of the intricacies of their arts, that they look upon him as the leading legal expert in the Union on Architectural and Quantity Surveying practice.

Well, ladies and gentlemen, I could say a great deal about how pleased we are with this Act, but as is usually the case, there is the proverbial "fly in the ointment." Now our particular "fly in the ointment" is the famous Clause 3 (c). Perhaps I should explain to those of you who may not know, what Clause 3 (c) is. We are frequently being asked by members of our profession, "How is it that we, as promoters of the Bill, accepted an Act which, true, protects the name of the Architect, but nevertheless permits unqualified men to perform the work of the Architect for remuneration?" Now, Clause 3 (c) was the clause to protect the practice of the Architect as well as the name of the Architect. We really made history in the Union Parliament with Clause 3 (c): we created the famous Parliamentary "Three Musketeers." We were responsible for the coining of the words by Dr. Reitz, "The unreasonable reasonableness of the Architects." The clause in particular enlightened the community, or the Architectural and Quantity Surveying community at all events, in the intricacies, or shall I say idiosyncrasies of the House in Committee. I don't know whether you are all aware of the procedure of the House in Committee; but it appears that a Member may only speak for ten minutes on any particular subject before the House, but, provided someone speaks immediately before or after him, he can carry on for another ten minutes. Now the "Three Musketeers" were adepts at Parliamentary procedure in the Committee stage, and it was only at the instigation of Dr. Reitz, who at the opportune moment withdrew Clause 3 (c), that we saved not only clause 3 (c) being talked out, but we are told saved the whole Bill being wrecked!

Well, ladies and gentlemen, we have not buried Clause 3 (c). We hope at some future date, not very far distant, to appeal to Parliament again to reinstate Clause 3 (c). And we hope when we do so, that the Minister will assist us in fathering that clause through the House. And we feel sure that when we approach the Minister, he will follow the example of Mr. Beyers in 1909, and say, "Gentlemen, if this clause be just and sound in principle, if it be in the interests of the profession and the public generally, you shall have it." With Clause 3 (c) reinstated, ladies and gentlemen, we can then guarantee to the public that to whomever they entrust their architectural work, it will be in the hands of a properly educated, qualified and competent member of the profession; and the profession will benefit by the fact that they will have gained the full confidence of the public.

Ladies and gentlemen, I ask you to rise and drink to the Toast of "The Union of South Africa."

THE HON. H. W. SAMPSON (Minister of Public Works).

Mr. President, Ladies and Gentlemen, perhaps before passing on to the serious side of replying to the Toast that has just been proposed, you will pardon me

for diverting for a minute to a matter to which our Chairman made reference in the early part of the proceedings, to the critical state in which King George lies at the present time. I heard as I left Pretoria that there was very serious news regarding the illness of the King, and I am quite sure that not only the Government, but the whole of the people of this Union, will deeply regret to hear of this very serious illness, and hope that it will go no further. And I am quite sure the prayers of everybody in this country will join in hoping for a safe recovery, and also in a feeling of sympathy towards the Royal Family in the grief that they in their distress must be going through at the present time.

Now, Mr. President, I know nothing of the quarrels between Architects, Quantity Surveyors and Master Builders. But as a Member, and a very young Member, of the Government, but a very old politician, I feel this, that whatever we have done for Architects and Quantity Surveyors, when the proper time comes, and the Builders can frame a Bill which can please all, we shall do our best to assist them to get similar legislation through Parliament.

Of course, I cannot see what there is amongst you to quarrel about, unless it is who gets the biggest end of the stick, or something of that sort; and I daresay that is just the position. But of course, the Builder thinks he does all the work and the Architect draws all the fees! Of course, this is only a surmise on my part. I may be totally incorrect; but as I will explain presently, I think I have some good grounds for what I have just said.

Now, Mr. President, may I claim the credit of having played some small part, as a trade unionist, not only in the passing of the recent Bill, but in the passing of the original Bill in the Transvaal Parliament. Of course, we were all pretty fresh to it then, and there were no musketeers about in those days. But the Transvaal Parliament was, what it ought to be, a body of trade unionists, mainly lawyers; and Mr. Beyers, as you will remember, was a very good trade unionist too—a lawyer.

Well, now, the Government is, as you know, the largest property owner in the country. I understand it owns between eight and ten thousand buildings, of a value of above seventeen millions. So naturally we are very much interested in your welfare, and no doubt you are very much interested in ours. That is why Parliament passed this Bill, I suppose. Of course, I cannot understand the logic of our friends "The Three Musketeers," but, of course, if you could only hold out some inducement to a body of farmers in this country, and could put a ring fence round themselves, to protect themselves to the exclusion of all others, I am quite sure they would become good trade unionists too, and try to promote a similar Bill for their own people.

Well, now, ladies and gentlemen, I am quite sure that they would be converted if they could only have read as I read in this morning's paper, what you have got to go through this week. When I saw those long lists of papers, I am quite sure when you leave Johannesburg you will never want to hear the word "papers"

again. And as far as the subject matter of them is concerned, as far as I have seen, I thought it was very much for the betterment of South Africa in many ways, and for the greater hygienic condition of the people of the country.

But there was just one item there to which I might take exception; and if I speak to-night on that matter, perhaps you won't discuss the matter to-morrow. I see that you are going to discuss to-morrow, at least it is down on your agenda, or somebody is going to read you a paper on it, about Government Architectural Work. Well, my advice to you is, "Don't go on any further with it." After all, you know that the Government, as far as its buildings are concerned, must be distinctive from the rest of the buildings in the country, and then a special knowledge is required in regard to their architectural work. We want the Government to have the very best. And if we offer the inducement at headquarters to the very best Quantity Surveyors and Architects to come there, I am quite sure you will be satisfied with the results which our buildings will portray.

But my worthy head of the Department of Public Works, after I had inquired of him with regard to this item, brought to me the minutes of a discussion that took place some time in August. Very interesting indeed, Mr. President. And I see, after a long and not very acrimonious discussion, it was decided that the difficulties in the way, as far as the Architects were concerned were such that it was best to leave things where they stood. And I am reminding you of that fact to-night. But the sting was in the tail. The last, concluding line I think of the report which Mr. Staten handed to me, dealt with the matter of fees: it was suggested that the matter of fees be accordingly dropped. And accordingly it was dropped. They did not go on with the matter. Well, it was an astonishing thing to me after reading those minutes and finding the altruistic nature of the gentlemen present, who had as their object the designing of good buildings for future generations, and that the Government should get value for its money in every instance, to find them wind up with the sordid sentence of "Fees for our work."

Well, now, ladies and gentlemen, the position must be this: I think you will agree with me that there was a time—that is shown clearly in your discussions—when the Government had not got a headquarters staff sufficient to cope with the enormous demand for public buildings in South Africa. But that leeway has all been caught up at the present time, and I am assured we have got a sufficient staff at headquarters now to cope at least with the normal requirements of the Union. And I think now that we have got the balance of things, and you have got the big end of the stick in the matter of all the private enterprise in the country, you should rest content and let the Government do their share of their own work for the people of the country, without any further complaints.

Well, I don't know that I have got anything to add except to wish this Institute and its Chapter of Quantity Surveyors every success. I can do that quite conscientiously as a trade unionist. You are quite entitled to protect your own interests; most other people do,

and if you don't, nobody else will. But I am quite sure I do hope, when the time comes along, perhaps after the next elections, and a different atmosphere prevails in the House, that that famous Clause 3 (c), which you are complaining about being the missing link in your future prosperity, will find its way into the law, and that you will be content in the future.

The Hon. J. H. HOFMEYR (Administrator of the Transvaal).

Mr. President, Mr. Mayor, Ladies and Gentlemen: It is my duty to-night to propose the toast of "The Institute of South African Architects." But before I perform my duty, I should like, on behalf of the people of this province, to associate myself with what has been said by my friend Mr. Sampson about the distressing illness of His Majesty the King, which we all so deeply deplore. We have, all of us, during the last anxious days been following the course of His Majesty's illness with profound sympathy and with very real feelings of concern. And to-day, when the disquieting news was flashed across the cables, I think we were all very profoundly touched. I know that I am speaking for all the citizens of this Province of the Transvaal when I say that the wish that it may please God to restore His Majesty to health, is very very near to all of us. And that from all of us there goes out to-night a message of respectful but profound sympathy to the Queen and to all those who are by her side, whether in actual presence or in spirit, during these days of sore trial and dread anxiety.

This, Mr. President, is probably the last occasion on which I shall speak at a banquet in Johannesburg as Administrator of the Transvaal. From some points of view that is a chastening thought. But it is a thought which also reminds me of the greatness of my indebtedness to the hospitality of Johannesburg. Looking back over the last five years, I wonder on how many occasions I have assisted at public functions of this kind! How often the good people of this town, Mr. Mayor, have fed me and given me drink—or tried to give me drink! That is a pleasant thought. It is not quite such a pleasant thought to remember how often I have requited their hospitality by compelling them to listen to a speech.

The other day, the frequency with which I have participated in feastings of this kind, was the matter of editorial comment in the local papers. And it was suggested—it was a flattering, although an inexplicable suggestion—that the reason was that the people liked to hear me making speeches. My own comment was, that there is no accounting for people's tastes. But in spite of that, I could not help preening myself just a little. And then the next day the bubble was pricked. I picked up a volume of essays recently published by Hilaire Belloc, and I came across this paragraph: "If it be asked why your politically-minded man" (and I suppose even an Administrator who objects to being called a politician, must admit that he is a politically-minded man); "if it be asked why your politically-minded man must be for ever making speeches, and those of inordinate length, the answer is that only thus does he impose himself upon his fellow-beings. He cannot write; he cannot think; he cannot

moral; he cannot paint; he cannot build. He cannot do any of the useful things. He certainly cannot dig; he cannot calculate. He cannot—no, by God, he cannot write verse. But any fool can speak."

Mr. President, it is in the painful consciousness that any fool can speak, that I rise to address you this evening. I have been wondering, Mr. President, in what capacity it is that you have asked me to speak here to-night. As Administrator of the Transvaal I do not touch you very nearly—although I do attempt to touch your pockets by way of the Poll Tax! You, who are practising members of the profession in the Transvaal, would like to have more to do with the Province of the Transvaal, or at least, you would like to do more with the Province of the Transvaal. As far as that is concerned, I shall not follow in the footsteps of Mr. Sampson. I shall rather express the hope that you will be more successful in convincing my successor than you have been successful in convincing me. It is a very cheap hope to express.

But, Mr. President, I should like to think that you have not asked me here to-night in my official capacity, but you have asked me rather because of my past associations with the Architectural profession in this Province, and because of the many friendships which go back to that association. That association dates back to the years when I became Principal of the University, which sought to take all knowledge for its province, and when I, a humble student of the Classics, was called upon to deal with courses in every subject from Architecture to Psychiatry, and to express profound opinions on the correct way of training plumbers, or of providing educational facilities in the entrancing subject of sanitation. When I look back on those years I am at least glad to be able to think that then there were laid the foundations of the first University School of Architecture in South Africa. And on this occasion I am happy to be able to come back to renew the associations and the friendships which were formed at that time.

As you said, Mr. President, I am to-day much more enlightened, like Dr. Reitz, about Architects and Quantity Surveyors than I was before I became Principal of the University of the Witwatersrand. Well, Mr. President, I hope it is on that ground that you have asked me here to-night. I should hate to think that you had asked me here as a politician. Of course, you have before now discovered that politicians have their uses, especially when you want to put a Private Bill through Parliament. But ordinarily I have no doubt you have very little patience with politicians. Yours is a profession of high artistic ideals and of the joy of satisfied endeavours. You are constantly seeing your dreams becoming true. Your ideas become concrete facts; your plans are converted into actualities, and you see your conceptions gradually assuming life, brick upon brick, and line upon line, until they merge into the fullness of your visions of beauty and of strength.

But in the meantime the politicians—why, they are just grubbing about in the dust. At the best, they are putting up arguments for the mere pleasure, so it seems, of seeing other people knock them down. Or they weave abstract fancies. If they do dream dreams, they very rarely see them realised. Our main work

seems to be in the form of words, and when we are able to coin an epigram, well, we go about clucking like hens and imagining that we have at last done something to earn our salaries.

Well, Mr. President, no doubt you will be wondering why I am taking so long to come to the subject of my toast. I think I had better be honest with you and admit quite frankly, it is because I know so very little about it. As I have told you, I have some knowledge of Architects, and a little also of Quantity Surveyors, but I know very little indeed about the Institute of South African Architects. Of course, you may suggest that is not an unusual position for an Administrator to find himself in. It happens only too often that on public occasions my general attitude has to be one of ignorance shrouded in benevolence. Sometimes the shroud wears just a little bit thin, and I am not going to persuade myself that your vision is not keen enough to be able to see through it to-night.

I am rather in the position of the undergraduate at Oxford who was called upon to take one of those examinations in Holy Scripture which are still customary in the older Universities. This young man was much more skilful on the field of athletics than he was in the examination-room. But he had had what some people call "a tip straight from the stable." He had been told that he was sure to be asked to give a list of the names of the Kings of Judah and Israel. Well, he prepared himself for that question. He went into the examination hall thoroughly primed on that point. But the tip straight from the stable failed, as tips straight from the stable usually do. And the examiners asked him, with that brutal frankness which sometimes characterises examiners, "Give your opinion of the respective merits of the major and minor Prophets." And his answer was, "Far be it from me to speak about the virtues or the merits of those wise and holy men. It will be more profitable if I give a list of the names of the Kings of Judah." And so, Mr. President, to-night I feel like saying, "Far be it from me to speak about these wise and holy men, the Institute of South African Architects. It will be more profitable if I talk of something about which I really know,"—if, for instance, I were to speak with eloquence on the subject of the ladies, or with enthusiasm about the virtues of the Transvaal Provincial Council, or possibly even with discrimination about the merits of the respective political parties in South Africa.

Well, Mr. President, if there is nothing else I can say about the subject which you have entrusted to me, I can at least express very hearty congratulations on the establishment of this Institute of South African Architects. We are gathered here to-night because at this present moment the first Congress of Architects of the Union of South Africa is being held here in Johannesburg. That is in itself an event of considerable significance. That, in turn, is due to the acceptance by Parliament last year of your professional charter. On that also I congratulate you. It marks an important step forward. It gives you professional recognition; it promotes your professional solidarity; and it enables you to provide better facilities for the training of our future Architects in South Africa, and generally to raise the standard of the architectural profession in this country of ours.

I count you fortunate in your profession, Mr. President, because of its never failing interest. You are fortunate because, while you are in the first place artists, you have the opportunity of expressing your artistic ideals in one of the most practical forms of human activity. And you are fortunate also because of the great work that awaits you. The Architect, as in no other form of art, has the means, the ready means, of raising popular standards of artistic appreciation, and thereby of stimulating the spiritual development of the community. It is surely not without its significance that the first impulse to what we can really call architecture came from man's spiritual sense; it came from his desire to erect worthy habitations for the gods of his worship. And so it is not unfitting to-day that it should be recognised as your primary obligation to minister to that same spiritual sense of man—and I use the phrase in a wide sense—to minister to that same spiritual sense, and to aim at making the lives of men more beautiful, by making more beautiful the surroundings in which they live. That, baldly and broadly put, is your task. And the Institute of South African Architects has been created as a means to assist in the performance of that task. We welcome it very heartily on that account.

How best can you achieve that task? That is a question, Sir, for you rather than for me. But if I may say one thing, it would be this: I am very glad that you have set in the forefront of your programme the improvement of educational facilities, and that, right at the outset, you have established such hearty co-operation with the Universities of South Africa in that work. After all, it is at the Universities, as nowhere else, that there is to be obtained that distinctive feature of the professional man, that breadth of vision and of outlook which enables him to see his work in a right relationship to the many diverse activities of mankind. Your great Architect is, in the first place, a great artist; he is also a master of the technical aspect of his craft. But, Mr. President, he is not least a man who is able to see just how his work fits in with the scheme of things, who can draw his inspiration from a wide range of human activities, and who can relate his contributions to the community's diverse needs. He needs, in other words, Mr. President, wide sympathies, broad interests and deep culture. And where better than in the Universities will he get those particular gifts?

You aim, then, Mr. President, in the first instance at improved educational facilities. But you aim at that as a means to a higher end, higher professional standards. And that in turn is again merely the aim to a yet higher end, namely, that noble architecture, inspired town planning, beautification of the surroundings in which men live, may be brought to make their maximum contribution to the artistic and the spiritual development of the people of South Africa. I hope you will be able to achieve that aim. We here in South Africa have many advantages on the artistic side: the lines have fallen unto us in beautiful places, and we have a goodly natural heritage. And I have no doubt that must be one of the first feelings to come to the minds of those who enter South Africa for the first time by way of Table Bay. But I am afraid one of their next feelings is that the hand of man has failed all too deplorably in achieving work commensurate with the gifts of nature. It is true that some of the founders

of South Africa came here with an inborn artistic sense; they were descendants of artistic stocks; they came from artistic surroundings. Down at the Cape they left us some wonderful work. You have got an illustration on your menu-card this evening. But then for long, for all too long, the tradition failed, and we have to pay a heavy price for the failure of the tradition. Surely every good South African to-day has reason to be grateful for the change that has come about in this respect, in our own generation, and every good South African has reason to-night to wish success to the South African Institute of Architects in its endeavours to stabilise that change and to give it new vigour and new vitality.

Well, Mr. President, I am afraid I have committed the very worst of offences of which an after-dinner speaker can be guilty. I have been giving you a lecture, and that on a subject about which you know more than I do. But I think much may be pardoned of a professor who has become Administrator, and who may possibly in the future become a professor again. I hope you will permit me to conclude by telling you a little story, which is, I fear, all too applicable to this present discourse of mine. It is a story told of the distinguished English statesman, George Canning, who once went out to spend a week-end at an English country house, and, like all good statesmen, he spent the Sunday, not upon the bowling-green, but by going to church. At the end of the service the preacher was introduced to him. The preacher was very nervous at meeting so great a man. Being left to start the conversation, he said, "Sir, it has indeed been a privilege to preach in the presence of so illustrious a statesman." Mr. Canning bowed and was silent. The preacher, finding himself in a difficulty in carrying on the conversation, went on, "Sir, I think I succeeded in being brief." And again the great man bowed and was silent. And then the preacher went on, with an implied question, "Sir, I trust I was not altogether tedious." And Mr. Canning replied, "You were both brief and tedious."

Well, Mr. President, to-night I know I have been tedious. I also know I have not been brief. But I take comfort from that story with the reflection that, worse than being long and tedious it would have been had I been brief and tedious. Mr. President, I thank you for your patience. I ask your pardon, and I assure you that as Administrator I shall never weary you again.

I ask you to rise, ladies and gentlemen, and drink to the toast of the Institute of South African Architects.

Mr. W. A. RITCHIE FALLON (Vice-President):

Mr. President, Ladies and Gentlemen: I don't know why my brothers of the pencil have selected me to respond to His Honour the Administrator's Toast. But he has given me a perfectly good tip; he said "Any fool can speak." Behold one who cannot. I believe when prehistoric man got speechless, particularly when it was a question of ladies, he ran for his club. Nowadays we are not armed with clubs. My profession is armed with a pencil. So I crave your indulgence for using my pencil and making one or two notes, to which I will refer just to help me on my journey.

His Honour the Administrator spoke about his study of architecture having started when he was a humble student—I don't know that he said "humble," I was not quite sure—of the classics, and that he had progressed. I think we may all be thankful for that. He also spoke of dreams—I think not as a student, but a politician—and said we architects were in a better position, as far as our dreams were concerned, than politicians, because we witnessed their realisation. Again we are thankful.

I would like to go back beyond His Honour: I think it was our President who referred to possible disagreements. It struck me that the people who know each other best have generally the most disagreements, but they get over them better than most people do. Even in the collaboration of husband and wife—seeing that ladies are present—there are disagreements; not only do they get over them really, in the end, but they help to make life more interesting. So I think with Builders and Architects, so closely allied in their respective callings: we shall get over them, too.

Coming now to the remarks made by the Minister of Public Works: he said something about somebody doing all the work and somebody else collecting all the fees. I think the Minister of Public Works would do well to start where the Administrator started, and finish up by knowing quite a lot about Architects and Quantity Surveyors: and he might revise that a little. Also, the Minister of Public Works made some mention of offering inducements to the profession for, I take it, the best brains in order to get the best results. It occurred to me that a lot would depend upon what the inducements were, and in what order they might be offered; and as far as the profession is concerned, they might be quite acceptable, provided they were on good lines.

Incidentally he also had a little "go" at us on the subject of fees. But I think, going away back to the Good Book, there is a little saying there that "The labourer is worthy of his hire." I commend to the careful attention of the Minister of Public Works the labour involved, and I think after a little study we may safely leave the question of what that hire is worth to his good judgment.

The Administrator mentioned a little story concerning some undergraduate, I think. It reminded me of one which may be a chestnut to most of you; to some it will not be, I hope. It concerns an undergraduate swatting for his examinations, who retired to his restless couch, somewhere about the night before the exams. came on, and he dreamed dreams. He "blew into" a beautiful hall, and noticed a purple light with beautifully designed lettering on the wall. He saw the Ten Commandments written up. Trembling with fear, examination fear, he again had a look round, and this time observed a golden light, with much smaller lettering. Above the Ten Commandments he saw, "Only five to be attempted."

I am sure we much appreciate the Administrator's remarks on education, and the prospects that there will be for the younger men of our profession if the ideals which we have started on are properly fostered and carried out. In rejoicing with our President-in-Chief over our Act we have never lost sight of the fact, our eyes were quite open to the inevitability of it, that the

present generation at least would have only a mere bagatelle of benefit from this Act, but that the real benefit to our profession will accrue to those following in our footsteps.

Now, on behalf of our profession, I wish to thank the Administrator for the sentiments that he has expressed to-night. And just before I sit down, I am very glad to know that the Administrator, as one of our gathering, has learned and still will learn a lot about Architects and Quantity Surveyors.

Mr. F. DAVIS HICKMAN: Mr. President, Ladies and Gentlemen. This is indeed a great occasion. This is the first occasion in the history of South Africa when the Architects and Quantity Surveyors have ever "stood" a banquet. There are reasons for that. Architects are people of so artistic a temperament that their soul is above eating, and Quantity Surveyors can't afford to.

I do feel to-night, looking back on the time when I first arrived in this country—I don't pretend to be a pioneer, ladies and gentlemen—that a very great advance has been made by Architects during, say the last twenty years. When I first arrived I made a few discreet inquiries about Architects, and I am sorry to say that the general opinion amongst laymen was that they did not think very much of them. One individual got quite annoyed: he said he was not allowed to have what he wanted in his own house. The Architect said he couldn't. But I had a feeling of secret satisfaction: not a word was said against the Quantity Surveyors. It was only afterwards I discovered that nobody in this country had ever heard of one.

Talking of Architects and Quantity Surveyors of course reminds me of the time when we gave evidence before the Select Committee, when the Bill of 1927 was about to be brought before the House. An eminent Quantity Surveyor and myself were asked to give evidence on behalf of the Surveyors. I duly arrived in Capetown, the evening before, had a little chat with him, and in the course of conversation he said, "You know, Hickman, I don't think it would be a bad idea, before we start our evidence, if we describe what the duties and functions of Quantity Surveyors are." Bearing in mind my previous experience, I thought it was a good idea. The next morning we duly appeared. Several Architects gave their evidence, and my colleague was ushered into what one calls the witness-chair, that is, where you sit before this gathering of eminent M.L.A.'s. He proceeded, in fact he asked for permission, to describe the duties and functions of Quantity Surveyors. I am not for one moment suggesting that that Committee didn't know them—they are very well-informed people, of course: but however, he started in. I do not know the impression that he left on the minds of the Select Committee, but I certainly know the impression he left on mine. And that was that; by the time Quantity Surveyors had finished all their duties and functions, there was nothing else left for the rest of the building trades to do. As a matter of fact, I think the same impression was created in the minds of certain Architects because, as we came away at the lunch interval, one Architect said to me, "You know, Hickman, I think that was a very good idea of yours indeed. And I think we ought to do something of the same sort." And I believe he

spent the rest of the afternoon delving into textbooks to find out what Architects did. But it bore fruit, gentlemen; it bore fruit. The next morning one eminent, and if I may say so, slightly rotund, Architect, of rather similar build to myself, perhaps, turned up in a rather overheated condition with an enormous roll of drawings, which he proceeded to undo, and he said, "There, gentlemen and that's what Architects do." I did not examine the drawings but I have no doubt they were excellent. Architects' drawings always are excellent; I have had to measure them for the past thirty years, and I can speak with authority.

At this stage, Mr. President, I feel that I must address you personally. I am afraid there is a horrid feeling going through your mind that I have entirely forgotten the matter for which I got up. I am here to-night, ladies and gentlemen, to propose the Toast of "Our Guests." I could have spent these ten minutes in saying all the nice and kind things about them that we Architects and Quantity Surveyors think. But I have not done so for two reasons. Firstly, it would have taken me very much longer; and secondly, we should have had our guests in such a state of embarrassment, they would not have known which way to look. And the first duty of a host, as you all know, is to put his guests at their ease. But I do say, with all earnestness, we are delighted to have you with us here this evening. And if, as is hoped, this will be an annual gathering, I don't think I can say more, on behalf of the guests, than that we hope to have you with us on future occasions. If they take my advice, the next occasion will be say at Durban—and I think July a very suitable month!

I now ask the members of the Institute of Architects and Chapter of Quantity Surveyors to rise and drink to the health of "Our Guests."

HIS WORSHIP THE MAYOR OF JOHANNESBURG (Councillor W. Fearnhead):

Mr. President, Mr. Hickman, Ladies and Gentlemen: It falls to my lot to-night as it has done on quite a number of occasions during the last three weeks to have the privilege of responding to the toast of the guests of the evening. But I want to assure you, ladies and gentlemen, that although I have had that honour on several occasions since I became Mayor of this city, I reply to the toast to-night in no mere formality and not simply as a matter of course. I feel sure that I am uttering the sentiments of all those who have the privilege of being your guests to-night when I say that we very much appreciate the courtesy and the hospitality which you have shown to us. One of the advantages of responding to this toast, Mr. President, is that it usually comes towards the end of the proceedings, and that in turn has two advantages. First of all, from the point of view of the speaker himself he is saved the necessity of making a long speech; and secondly from the point of view of the audience, who are saved the painful ordeal of having to listen to one. And therefore I do not propose to-night to detain you at any length.

At the same time I feel it would be discourteous on the part of those who have the privilege of enjoy-

ing your hospitality to-night if I were not to say how glad we are to be with you, and how much we wish the Institute of Architects and the Chapter of Quantity Surveyors the very best success, both as an Institute and also as individuals belonging to a very important body indeed.

Those of us who live in Johannesburg are particularly glad that you have chosen this city to be the venue of your first Congress, and I think that in making Johannesburg your choice, you have made a very wise choice indeed. And I hope that those of you who do not reside in Johannesburg will take time during this Congress week to have a trip round the City, and I feel sure that if you do so, you will see many things that will interest you. If you take our public buildings, for instance, I think you will go away with the conclusion that some of them are, from an architectural point of view, good; on the other hand, you may go away with an impression that there are some of them which are perhaps not quite so good.

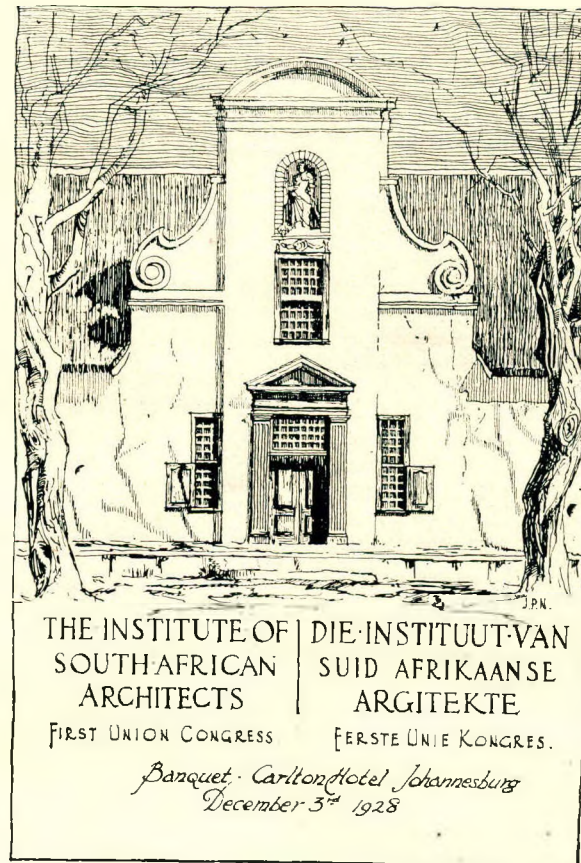
Talking about public buildings, Mr. President, reminds me of a story a friend of mine told me here. He said he happened to be on Park Station some time ago, waiting for a train, and getting into conversation with a porter, he found out that this porter was a Yorkshireman. So he started talking to the porter about Yorkshire, and particularly about York railway station, which he said was a very fine building. He went on to remark that after the building had been completed, the Architect who designed it was so disappointed that he had committed suicide. The porter scratched his head for a moment, and then, looking round, he said, "I wonder what happened to chap as built Park!" I sincerely hope that that unfortunate fate will not await those Architects who are responsible for building the new Park Station. I feel sure, Mr. President, that the building, when it is completed, will be a credit, not only to the city of Johannesburg, and not only to South Africa, but also to those men who have designed it and to the Institute itself.

Now, Mr. President, I don't think I need say anything more, except that I think that it is probably in its domestic architecture that the Architects of Johannesburg have found most scope for their talent and for their gifts. With all due respect to those of our visitors who come from other parts of South Africa, I do feel that the domestic architecture of Johannesburg stands on a level, on a plane, by itself, both in variety of design and in the manner in which the Architects have been able to adapt the buildings to the natural surroundings.

It may interest those who are visitors to know that the value of the building plans which pass through the hands of the City Engineer annually amounts to no less a figure than between two and a half and three million pounds, and that the number of buildings, the number of houses, completed every working day in Johannesburg is four. That probably explains, Mr. Hickman, the reason why the Architects and Quantity Surveyors are able to entertain us so royally to-night. And, therefore, without any more ado, I do want to say this, that we hope it will not be very long before

you again choose Johannesburg as the venue of your Conference, particularly if you have another banquet like this, and more particularly if you invite those of us who are your guests here this evening to be your

guess again on that occasion. I thank you, Mr. President for the way in which you have entertained us, and Mr. Hickman for the manner in which he has proposed this toast.



THE MENU COVER.

LIST OF THOSE PRESENT.

The President-in-Chief, Mr. Robert Howden, F.R.I.B.A., A.R.V.I.A., in the Chair.

His Worship the Mayor of Johannesburg (Councillor Wilfrid Fearnhead); The Mayoress of Johannesburg; The Hon. H. W. Sampson, Minister of Public Works, and Mrs. Sampson; The Hon. J. H. Hofmeyr, Administrator of the Transvaal; Mrs. D. C. Hofmeyr; Mrs. R. Howden, Mr. J. Young, Chief Magistrate of Johannesburg and Mrs. Young; Sir William Dalrymple, K.B.E., Lady Dalrymple; Mr. Harm Oost, M.L.A., and Mrs. Oost; Mr. O. W. Staten, Secretary for Public Works, and Mrs. Staten; Mr. H. R. Raikes, Principal of the University of the Witwatersrand, and Miss Raikes; The Deputy Mayor (Councillor D. Anderson), and Mrs. Anderson; Mr. Jas. Gray, President of the Associated Scientific and Technical Societies, and Mrs.

Gray; Mr. and Mrs. C. P. Tomkyns, Mr. and Mrs. Pattison, Mr. and Mrs. Alderson, Mr. and Mrs. R. T. Ford, Mr. W. A. Ritchie Fallon, Mr. H. Rowe-Rowe, Col. W. E. Puntis, Mr. and Mrs. F. Davis Hickman,

Mr. and Mrs. R. Innes-Abrahams, Mr. J. Archibald, Mr. Augustus, Mr. and Mrs. A. Barrow, Mr. and Mrs. G. J. Bernhard, Mr. and Mrs. N. Brampton, Mr. R. A. Bruce, Mr. Buchanan, Mr. J. Buckley, Mr. and Mrs. B. Bullock, Mr. D. M. Burton, Mr. J. R. Burg, Mr. L. R. Bustin, Mr. J. G. Carmichael, Mr. and Mrs. J. B. D. Clark, Mr. and Mrs. R. R. Clark, Mr. and Mrs. J. S. Cleland, Mr. and Mrs. E. E. Collins, Mr. and Mrs. N. T. Cowin, Councillor and Mrs. D. F. Corlett, Miss Corlett, Mr. A. G. Cross, Mr. and Mrs. C. J. Crothall, Mr. Day, Mr. and Mrs. J. B. Dey, Mr. J. E. T. Day, Mr. C. C. Deuchar,

Mr. and Mrs. J. S. Donaldson, Mr. N. M. Eaton, Mr. F. O. Eaton, Mr. and Mrs. T. G. Ellis, Mr. R. M. Ellenberger, Mr. and Mrs. D. M. Evans, Mr. and Mrs. E. B. Farrow, Mr. G. E. Fitzgerald, Mr. and Mrs. F. L. H. Fleming, Mr. A. Forrest, Miss Frame, Mr. and Mrs. A. C. Fraser, Mr. and Mrs. A. S. Furner, Mr. and Mrs. Goodbrand, Mr. D. S. Haddon, Dr. and Mrs. Hamlin, Mr. N. Hanson, Councillor and Mrs. M. J. Harris, Mr. G. M. Harrison, Mr. F. R. Hay, Mrs. W. S. Hayes, Miss Hickman, Mr. and Mrs. Hittinger, Col. G. T. Hurst, Mr. and Mrs. F. E. Ingham, Mr. R. H. Jones, Mr. E. L. Keenor, Mr. A. M. Kennedy, Mr. and Mrs. Knuckey, Mr. Lee, Mr. D. Lefebvre, Mr. and Mrs. C. Gordon Leith, Mr. and Mrs. J. S. Lewis, Mr. and Mrs. C. Lugg, Mr. A. R. Martin, Mr. R. D. Martienssen, Mr. D. A. McCubbin, Mr. J. A. McPhail,

Mr. W. J. McWilliams, Mr. and Mrs. T. Moore, Mr. A. Winter Moore, Mr. J. P. Nelson, Mr. and Mrs. L. Norman, Mr. D. L. Nurcombe, Mr. and Mrs. Patterson, Mr. and Mrs. W. S. Payne, Mr. and Mrs. A. S. Pearse, Professor G. E. Pearse, Mr. J. Pinker, Mr. and Mrs. Harold Porter, Mr. E. M. Powers, Mr. J. B. Powell, Mr. J. Rees, Mr. Walter Reid, Miss Roberts, Mr. Roberts, *Rand Daily Mail*, Mr. and Mrs. E. A. Sayle, Mr. and Mrs. T. F. Scott, Mr. C. H. Schrewe, Mr. and Mrs. D. M. Sinclair, Mr. and Mrs. C. Small, Mr. H. W. Spicer, *The Star*, Mr. and Mrs. N. Sutherland, Mr. and Mrs. J. Thompson, Mr. and Mrs. J. H. Vincent, Mr. and Mrs. W. F. Waldeck, Mr. S. Waters, Mr. and Mrs. E. H. Waugh, Mr. Walter Webber, Mr. and Mrs. F. Williamson, Mr. Allen Wilson.

SECOND DAY.

TUESDAY, DECEMBER 4th, 1928,

THE PRESIDENT-IN-CHIEF announced that the next item to be taken would be Mr. N. T. Cowin's paper on "Government Architectural Work."

Mr. ALLEN WILSON (Johannesburg): Mr. President, before we start this morning I should like to propose a vote of thanks, and have it recorded, for the very excellent way in which Professor Pearse and those who assisted him arranged the banquet last night. I have been to many functions in my life, and last night's was one of the best arranged I have known; nobody was tired and nobody was bored. That is saying a great deal for public dinners. I should like to mention also that Mr. Nelson ought to be thanked for his most excellent sketch which we had on the front of the menu. There is another matter which I would like to mention: I think we are very much to be congratulated on the able manner in which our President-in-Chief spoke. It was not exactly a speech: his was a statement; and I am sure that everybody who heard him last night must have realised that he was a master of the art and of his subject. He never made a mistake; he never missed a point. And, as a very old friend of Mr. Howden, I felt proud to sit there and hear the way in which he expounded the matter to the people who knew nothing about it. I felt certain, gentlemen, that your opinion would be quite unanimous about it. Then we had some excellent speeches last night. Some of them were not exactly what they should have been at a convivial meeting—I don't want to refer to anybody in particular—but the Minister was ill-advised in the way in which he put things. I hope that on second thoughts, and on thinking the matter over, he will realise it would have been better that what he said had been left unsaid until he had seen more

of us. He came there perfectly fresh; he knew very few of us; he didn't know our objects or our aims. But for some reason or other he tried to stop one of our main objects, which we shall hear something about from Mr. Cowin. Now may I put this forward as a proposition, Sir, that a vote of thanks be passed to Professor Pearse and to Mr. Nelson, and a vote of hearty congratulation to you, Sir, on the able way in which you gave a resumé of the work that we have done and hope to do.

Col. HURST: I beg to second that proposition. With regard to the last remarks of Mr. Allen Wilson, I think it would be just as well if they did not appear in the Press.

A MEMBER: The truth will out!

Mr. ALLEN WILSON: I have got to that age now, that I don't mind even that.

Col. HURST: Not because it is not true, Sir, but it may not be politic.

THE PRESIDENT-IN-CHIEF: Gentlemen, I thank you very much indeed for your kind words. In thanking Professor Pearse, I wish you also to remember that he is responsible for the whole Congress, and the success of the Congress is entirely due to him. I am sure we all thank him very much.

PROFESSOR PEARSE: I don't want to take up your time, Mr. President and Gentlemen: I thank you most sincerely.

GOVERNMENT ARCHITECTURAL WORK.

By N. T. COWIN.

The Public Works Department is an Institution that has been established in this country ever since the early days of its history and there has been a tendency with successive Governments to increase its scope. To-day all the Architectural work for the Government and each Province (except the Cape Province) is carried out by the P.W.D. and the Railway Administration under its Engineering Department carries out all the building work coming under its purview. Government architectural work, therefore, represents by far the greater portion of this work carried out in the whole Union. When the class of building is specialised or worked to type, there is justification in the employment of a regular Staff conversant with the details of this

class of work; it is possible that it is carried out more expeditiously on that account, but then there is a danger of the work becoming stereotyped and monotonous. We all require a change occasionally to stimulate and keep us up to the mark. The draughtsman has not the same interest in the work as the principal and the latter, if the head of a large department, has not the time to devote that he would like to in improving the details of the schemes put before him. Excellent work has been carried out by the Government Architects, but that does not minimise the plea we are putting forward here for the employment of private practising Architects on some of the large Government Works.

The young man entering the Architectural profession has the right to look forward as the result of hard work to more than a moderate salary as he advances in years. There are only a few plums in salaried employment whereas a much wider field is open in branching out into practice. The plums in this event are commissions for large schemes and in a new country the biggest schemes as a rule emanate from the Government. The whole country looks to the Government to foster and subsidise industries, and agriculture—and why not the Arts? If quite a small portion of the huge programme of Public Buildings carried out yearly by our Government were put into the hands of practising Architects a great deal more interest in our public buildings would be encouraged and the opportunity would not be denied the practising Architect of acquiring fame in the design of some outstanding building.

It has been made public in the Auditor-General's Report that overtime is worked on an extensive scale by the Draughtsmen in the P.W.D., clearly showing either that this Department is chronically understaffed or else that the work comes periodically in rushes. Excessive overtime as indicated in this report is indefensible and the remedy would appear to be in obtaining the assistance of practising Architects. The difficulty in adopting this plan, we are told, lies in the choice of the Architect as there are many well-qualified to do the work and alas! many unfitted who would nevertheless press their claims for consideration. What is the Government to do in such a dilemma? The solution that occurs to one at once is to organise a competition, but that takes up valuable time and does not always prove satisfactory; an alternative is to form a panel of Architects and to call upon their services in rotation. Who is to be put on the panel? Here again invidious distinctions might be made, but the position should be faced by the Government even as they promote K.C.'s from among the Advocates.

These panel Architects should have the right to the letters K.A. (King's Architect) after their names and should be under some sort of guarantee about the quality of their work and it must be carried out with despatch on pain of being struck off the Roll. The number to be included in the panel and their qualifications should be left to the Government's choice; obviously experience and the merit of completed buildings should be the deciding factor. The young man might say that under this system he would have no chance. He would not, truly, for this particular class of work, unless of exceptional ability which would enable him to comply with the stipulations outlined for qualification. After all, harking back to the analogy of the K.C.'s, these are all men of experience and standing in their profession and no-one would wish the stamp of Government approval to be put on any members of our own profession without a similar guarantee.

Arbitrators in the event of disputes on Government work should be appointed from members of the panel and it is conceivable that in course of time with the confidence inspired by the panel that the public would do likewise. Thus, to become a member of the panel, or a K.A., would be a prize eagerly sought after and a crowning achievement in a notable career.

This country has, shown the way, to the Old Country and the Dominions in its Registration Bill for Architects and Quantity Surveyors and another lead might be given in the apportionment of Government architectural work on the lines indicated.

A few years ago a large amount of Government work was put into the hands of various Quantity Surveyors but the practice has been discontinued. No reason has been vouchsafed for this but what has been noticed is that a number of Quantity Surveyors have been engaged from Overseas and the staff increased considerably. The justice of this action on the part of the Government is questionable when there are people here willing and qualified to do the work and who have made their homes here. The cry "South Africa First" should be more than a mere party cry for the elections and should be translated into a reality by those who profess to have the interests of their fellow countrymen at heart.

Now, gentlemen, our Minister of Public Works last night anticipated this paper. He told us I think emphatically that we had better leave the Public Works Department alone. Well, I don't know whether you are going to subscribe to that; I certainly don't think we should. I think it is nothing less than the Government's duty to foster architecture as they do, on a large scale, industries, and notably agriculture. I may point out that what we are asking is only what is recognised in the older countries of Europe. I believe I am correct in saying that in France the winner of the Prix de Rome—an annual scholarship established by the Government—after his course in Rome of four or five years, whatever the period may be, on his return *ipso facto* becomes a Government Architect. The Government Architects for large work are recruited from these Prix de Rome students; and some recognition of that kind is all we ask for here. And I feel that we must press the point. We cannot sit under this statement of the Minister's. And I hope that we are going to get the support of the Service, our own members in the Service, in this connection. We often hear from the members of the Staff that they are looking forward to the day when they may become private practitioners. We welcome that. That is the ultimate goal of anyone who has ambition and the interest of his profession at heart. And I look to them for support in this attitude that we are taking up, and I hope the Chief Government Architect will take up a strong attitude in this connection when we meet the Minister, as we hope we shall do, in the not very distant future. Mr. President, I should like to propose the following resolution:

That the Central Council shall press the Government for consideration of the claims of the practising Architect for Government Architectural Work, and the Government should be asked to allocate a portion of their annual programme to be carried out among the practising Architects of the Union.

Discussion on Mr. Cowin's Paper.

Mr. SINCLAIR: I would like to support and second Mr. Cowin in his remarks. I do not want to say much; I would rather hear the members from other parts of the country, as I have been speaking so much on

these matters during these last few years. I was rather surprised last night at the Minister. I have known him personally for twenty odd years, and I know him very well indeed. I think if twenty odd years ago such an attitude had been suggested to him, when he was organising trade unions and various things, he would have been rather surprised. I do think, honestly, that we ought to come into line more or less with other provinces. The Transvaal has been unfortunately in a bad position; they have gradually eaten into our profession day by day, year by year. At one time we had a certain amount of hospital work and hostels, and that kind of thing; they are gradually taking them away. In time we will have nothing. Where the Government gives part of the money, they claim that the Government should carry on with the work through its Government department. I think that is wrong. I certainly think that there must be a Government department, and there is quite a lot of maintenance work and various things outside that we cannot touch. But there are an enormous amount of buildings we ought to be able to complete, which ought to be put out to the practising architects in some way or other. We have got to find a way; we will find a way. It is only the principle we want agreed upon. If that is agreed upon, I am certain we will find a solution.

Mr. HAROLD PORTER: I wonder if Mr. Cowin could extend his proposition to include local authorities in addition to the Government?

Mr. COWIN: I will be very pleased to do that, Mr. President: public bodies.

Mr. SINCLAIR: I agree to that.

THE PRESIDENT-IN-CHIEF: Gentlemen, the matter is open for discussion. There are several points in connection with this matter that Mr. Cowin did not touch on. We have been given to understand that in the Cape Province a certain amount of Government work is given out to the private practitioners, but I believe I am correct in saying that if this work were done by the Public Works Department, the Cape would have to pay for it; that is, if the Public Works Department of the Union did that work in the Cape Province, the Cape Province would have to pay for it. Now there is some inconsistency there. How this occurred we do not know. But the position is that the Public Works Department does all that work for the Transvaal, and the Free State, and I believe Natal, free of cost. That inconsistency makes it very awkward; it makes it awkward in this way, that we cannot use the Cape as a precedent. If we were to say to the Transvaal Administration, "Why don't you adopt the principle of the Cape, where a certain amount of Government work is given out to private practitioners," they would at once say, "Yes, but we would have to pay for it, whereas we get the Union Government to do it for us for nothing." That is one of the aspects of the case that wants taking into consideration. Mr. Cowin's suggestion of the K.A. is rather novel. I never heard it before. I don't know when he originally conceived this idea, but it really wants thinking round. I think the parallel is quite capable of being quoted; the Government undoubtedly select a number of senior barristers.

How they select them, I do not know; but the fact remains that they are selected and appointed for a particular purpose. I must admit I see no reason why some such thing should not be done in connection with the other professions. The paper is now open for discussion.

Col. HURST: I think we are very fortunate in having a paper like that read. It is very stimulating; it certainly gives us food for thought. I think Mr. Cowin is to be congratulated upon this idea of the King's Architect. It is certainly novel, but there is no reason why we should not think around it. The Durban Corporation have had a panel for many years of Architects, and they gave out their work in rotation; and it has worked very well. But of recent years for some reason or other this panel seems to have been done away with.

THE PRESIDENT-IN-CHIEF: Isn't that since Union?

Col. HURST: No, Sir; within the last two or three years. And they are gradually developing now an architectural department of their own. In connection with what has been said, it might be useful to state that I once had it from somebody who seemed to know, that architectural work cost the Government anything between 12½ to 15 per cent. Could anybody give any information upon that? That would be rather a useful lever to use in our favour.

Mr. COWIN: You can never get it.

Mr. HURST: I think it was the Auditor-General, but I am not sure, who said that 12½ to 15 per cent. was the cost of Government architectural work.

Mr. ALLEN WILSON: I believe it comes to 27 per cent., really. I think I am perfectly right in saying so.

Mr. HURST: That could be used as a lever. We will do the work for six per cent., and Quantity Surveyors, 2½ per cent. There would be no sharing fees in that case, of course! I just throw that out as a pointer.

Mr. POWERS: Mr. President and Gentlemen: I think Mr. Cowin has to a very great extent touched on a point of very great interest to the private practitioners, and no doubt of equal interest to those members of the Public Works Department who are with us. While associating myself very largely with what Mr. Cowin has said, I would like it to be quite clear that the paper is in no way in the nature of an attack on the Government Department by this Conference. We know that the Public Works Department does the major portion of the work in the Union, and I must say they do that work remarkably well. As a matter of fact it is often stated outside architectural circles that the Government have set a very high standard of work in this country. It is also said that there must be a certain amount of work that the Government undertakes apart from the usual type of Government building, which an Architect may have studied and could give equal results with, and there is no reason why the Government should in any way enter into competition

with private enterprise, particularly a profession such as ours. There is one point I would like to touch upon, which Mr. Cowin seems to have overlooked—probably it has not occurred to him—and that is, frequently in past years in this country important works of a public nature have been started by private parties, by public subscription, by individuals of the country, and under those circumstances this work has been put up to competition. Those Architects who have made a particular study of the class of building that is required, have entered for the competition and have been successful. Later on, of course, this work comes under the control of the Provincial Authorities, the Provincial Councils and so on, and automatically comes under Government control. The drawings that have been prepared for this particular building then come into the hands of the Public Works Department; they take control of the building. And it is quite obvious that the Government to a certain extent has benefited for the time being by the work of the individual. Then a rather peculiar position arises when this particular building has to be extended. The original designer of the building has no further interest in the building and has no further opportunity of carrying out the work. That seems to be very unfortunate. That has a tendency to stultify the ambition of many architectural men in a particular study. We had a case in Durban recently, when through the energies of one of our town councillors—a lady councillor—we were very fortunate in getting a children's hospital for Durban. I think it must be admitted on all sides that it is one of the most up to date hospitals in the Union. That was started by private enterprise. I believe a Durban Architect was entrusted with the work and he prepared a scheme. But eventually, through financial reasons, the Government came in. That work is now done by the Public Works Department. I don't want to be misunderstood at all. I am particularly interested in that hospital; a society in which I have an interest has taken over one of the wards, and in consequence I have been in very close touch with that building. It is a building that the Union has every right to be proud of; it shows the great advance that has been made in hospital work from every conceivable point of view, both from the medical and the design. But at the same time this sort of work should be carried on, I think, to a very great extent by the individual. In Great Britain you find men who years ago specialised in hospital work and have made a name for themselves in that particular class; not only hospitals, but asylums, benevolent institutions and so on; you could mention a list of these buildings. They become authorities on the subject, and they continued with that work. I don't think I can call to mind any particular instance of that nature which in the Old Country is done by the Government or the public bodies. It is done by an individual who has made a study of that particular class of work. It does seem to me to be rather unfair that men who have obtained this work in competition in this country, and have made a success of the study of it, should later on never get another job of that kind. What they have done is improved upon by the Government servants when another building comes along; as we all know, there is no building, of whatever nature, that cannot be improved later on. You have the same thing with motor cars; a new improved model every year. I do think that aspect of the case ought to be considered by this Institute. We might

foster the ambition of private Architects to study other buildings than purely commercial buildings, offices, residences and so on, that ordinarily fall to our lot.

THE PRESIDENT-IN-CHIEF: I take it immediately the Government lend money on this particular building, it comes into their hands?

Mr. POWERS: That I think is the accepted idea. We realise these bodies have to go to the Government; it is usually on the £ for £ basis. And then when the Government step in, they take over all the pioneer work that has been done outside. That seems to me to be hardly fair. I am not in any way criticising the work, as it is finished. As I said before, they set a very high standard of work, which we are proud of. But it is taking the work away from the man who originally worked on the scheme.

THE PRESIDENT-IN-CHIEF: It would be interesting to hear how the Cape does its work.

Mr. RITCHIE FALLON: Mr. President and Gentlemen: the position in the Cape is not quite as stated by the President, as far as I am aware. The P.W.D. are quite willing to do anything for the Cape, as well as anybody else. I think in one or two cases down there it has been used as an argument to dissuade a public body from handing the matter over to private Architects. So we are really on all-fours with the other provinces, as far as that is concerned; It is true that the Cape does a certain amount of work, principally confined to school work. The Provincial Authorities run more or less a panel. Not so very many years ago it was a case of the various School Boards selecting their Architect and then submitting his name for approval to the Provincial Authorities. Nowadays it has become more a case of the Provincial Authorities instructing the School Boards that they may select Mr. So-and-so. So they are doing the selection really. How that panel was formed, I am not aware. I think the Administration itself quietly formed a panel without referring to anybody and said, "Well, our experience in this country is that these gentlemen have done school work of a satisfactory nature, and so we will just form them into a little panel." But I think they left out one or two. I think that is about all the information I can give you on the Cape System. As far as Mr. Cowin's idea is concerned, I find myself quite in agreement with him. With regard to the formation of the panel, he said he did not know quite how it might be formed. I remember an occasion when the Government itself requested the Cape Institute for its recommendation as to the Architect to be appointed to carry out the restoration of Groot Constantia when it was burnt down. The Council went in for the method of the Greek vote on it. Every man was given two votes, and the nominations were not to be confined to the Council, and I think everybody was thoroughly satisfied when Mr. Kendall came out on top. You know the principle of the Greek vote: every member has two votes; you may say that everybody polls one for himself and then polls for "No. 2"—for whomever he thinks is the next best man. So you get your list with everybody scoring a first and somebody scoring a lot of seconds, and the man with the greatest number of seconds is the winner. It has worked very well. Our

Architects' Council did this. I was thinking it might be quite possible to form a panel on similar lines. Then comes Mr. Cowin's idea of the K.A. and the K.Q.S.

THE PRESIDENT-IN-CHIEF: He forgot the K.Q.S.

Mr. RITCHIE FALLON: Well, I will put it in: I suppose he meant it, anyhow. Now, a certain number of King's Counsel are always available for the Government when wanted, and I don't see why a certain percentage of the practising Architects in the Union should not form a panel similarly. And if the Government say, "Well, how are we to differentiate," that difficulty might very well be overcome by saying "Let the profession make their own recommendations; and if necessary, let them make it on the Greek vote principle." You are pretty well bound to get the best result. Incidentally that Greek vote has been used in the assessing of competitions too, by the competitors, and it is rather an excellent thing. I have tried many times out here to get it going; I would love to see one going in South Africa; I think we would have no end of fun with it. Now, the actual selection of the panel, I think, might be done either by the provinces, each province being allocated so many K.A.'s or by the Central Council. As to a percentage of Government work, I suppose we would never be able to get that from the Public Works Department, but it struck me that the upkeep of the Public Works Department must figure in the Estimates at so many thousands per annum, and the amount of work they must turn out must be so many thousands, too. Of course, that will include all maintenance staff and maintenance; but if you put the whole lot together, and work out a percentage, I think the figures would be fairly . . .

Mr. COWIN: Terrific!

Mr. RITCHIE FALLON: Mr. Powers' remark about the specialists in hospitals recalls, as a matter of interest, that I met a gentleman from New Zealand a little while ago, who informed me—he gave me his card, which indicated that he was a Fellow of the Royal Institute of British Architects, and on the bottom was "Hospital Architect." I looked at this and said, "We don't see many specialists like this in South Africa." He said, "No? I don't do anything but hospital work," at least "I used to do nothing but hospital work." I said, "What do you mean, you used to do nothing but hospital work?" "Well," he said, "I am retired now." I said, "Oh, that is another curiosity in South Africa!"

Mr. CROSS: Mr. President and Gentlemen: many years ago I was associated with Mr. W. H. Powell, in Durban. We won a competition from the Government, a high school; also another competition the Colonial offices in Maritzburg. Those buildings were put up under our supervision. At later periods the high school and the Colonial Offices have been materially extended by the P.W.D., and all that work has been done departmentally. I think, as that work began with the practising architect who won those competitions, it should have been carried on by the firm who originated the design. I would like to point that out to the Congress.

THE PRESIDENT-IN-CHIEF: Was it done by the Provincial Authorities or by the Union Government?

Mr. CROSS: It was done by the P.W.D.; the extension of the buildings is done by the P.W.D. at present. I may say another school was done by us, and that has been formed into a type school. And that is repeated continually all over the country.

Mr. W. H. LOUW (Paarl): Mr. President and Gentlemen: I do think we all agree that the Public Works Department has long ago overstepped its limits. I am sorry Mr. Cleland is not here; he would undoubtedly agree that he is over-worked, and that he has been for many years. When I was in the P.W.D., in Pretoria, in 1909, I remember very clearly General Smuts, such a great authority, telling me more than once personally that he thought the P.W.D. should not be extended but that its power should be limited. And the very opposite has happened since then, with the result we all know. At the Cape—Mr. Fallon said just now he did not know how it was started, but I remember very well. It was the custom in the old days, long before Union, for the Education Department to give out its work to practising Architects, and then, of course, that practice was continued after Union, and just lately—here I suppose I had better begin with an apology to the Cape Provincial Council perhaps; it is an open secret to-day: there is no harm in giving it here. I have been in touch with the Administrator. He called me in; and with the Executive, too! When I said I was only a Private Architect, practising by myself, the Executive said, "Oh well, you have been all over the Union; you have kept in touch with School Boards. We want to make use of your experience." And just a few weeks ago I handed in a report, after consultation with Mr. Willis. That report practically means cutting away from the P.W.D. entirely at the Cape. In fact, as you know, there has been a sort of ultimatum from the P.W.D. to the Provincial Administration, in which they said, "Well, either give us the whole lot or nothing. We would rather have the lot, or nothing." It practically amounted to that. In fact, our experience at the Cape has been—I have been in touch with every member of the Executive, and the Administrator said so more than once, and the Executive admitted it—that we can do the work cheaper, if not better; but anyway cheaper. I have got heaps of proof of that. I need not mention instances here; I think you gentlemen are all more acquainted with them than I. Therefore I see absolutely no reason why we should not extend that all over the Union, and why you should not press for it here. In fact, I felt I should sympathise with my friends in other parts of the Union for not being able to get school work.

Mr. W. S. PAYNE (Durban): Mr. President, I would like to support Mr. Cowin's resolution very strongly. I think it is one of the most important things that has been brought up at this Congress, or is likely to be brought up. There is no doubt that the Architects in this country in the past have sat down to the position as it is, but it is not a correct position. A portion, at least—a very substantial portion—of Government work could be very satisfactorily done by practising Architects. And I would like to see a very

strong recommendation go forward from this Congress to the Central Council to use every endeavour to get this thing remedied.

Mr. F. WILLIAMSON: Mr. President, Mr. Cowin's paper has left me with the rather pleasant feeling, although no doubt a very erroneous one, that our object has been almost achieved, particularly when he goes so far as nominating our new title. While I feel that in our Minister of Public Works we have a very serious opponent, yet I feel equally strong in saying that, provided we can put up a strong enough case, we are likely to receive the support of our Chief Government Architect; I understand that the Central Council has already nominated a Sub-committee to go into this matter. In view of Mr. Cowin's very obvious thorough study of the subject, I would like to suggest that his services be co-opted on this Sub-committee. In order to further the aims of this Sub-committee, and particularly in the light of the information we have received this morning from members of the other Provincial Institutes, I would like to suggest that this Sub-committee be instructed to obtain the views of all the Provincial Institutes and the Chapter. I think these views should not only be the views of the Provincial Institute Committees, but I think the Provincial Institute Committees should go further and obtain from their members the strongest points in each particular province on this subject. I feel it would be fatal at this stage, particularly in view of the Minister's remarks last night, for a deputation to go forward, or for a scheme to be formulated, which is not thorough in every respect. There were so very many loopholes, I think, in the past, probably before the Act was through; a deputation did wait on the Minister for Public Works on the object we now have in view. I don't think the results were very satisfactory, primarily, I think, due to the fact that the deputation probably had not had an opportunity of going most thoroughly into the most important details. I think the responsibility of this Sub-committee is probably greater than the responsibility that has been imposed yet on any Sub-committee. Unless the matter is very thoroughly tackled at this stage, I feel we must for ever give up the hope of obtaining Government work. For that reason I very strongly suggest that the Sub-committee should obtain the views of all the Provincial Institutes and the Chapter, and not rush the matter, but go into it very carefully. I am convinced too we should receive every support and sympathy from the Chief Government Architect, who no doubt would be able to analyse our views and our points, show us our weaknesses, and show us where we are likely to be over-ridden. I am convinced Mr. Cleland is sympathetic and that his only strong feeling is that our case should be strong enough. If our case is strong enough, I think our objective will be achieved. Mr. Cowin, in the latter part of his paper, referred to the question of scholarships. I would like to suggest, when the Central Council is in a sufficiently strong financial position, that the question of an Institute Travelling Scholarship should be considered. In other countries I think a similar scheme has been adopted; and I would like the Central Council, when funds do permit, to consider this proposition. I have great pleasure in supporting Mr. Cowin's resolution.

THE PRESIDENT-IN-CHIEF: I believe the Quantity Surveyors are far in advance of the architects in this matter. I should be pleased to hear their views on the matter.

Mr. HICKMAN: Mr. President and Gentlemen: I would first of all also like to add my congratulations to Mr. Cowin on his paper; he was certainly under the impression that I did not congratulate him yesterday morning, but he evidently misunderstood me. I listened to his paper with very great interest, and personally I think his suggestion of the K.A. and K.Q.S.—provided you don't say it too quickly—a very excellent one. I think it might be of interest to the meeting to know that the Quantity Surveyors have already moved in this matter. A deputation was appointed to interview the Government, consisting of Mr. Farrow and myself. We journeyed to Pretoria and interviewed Mr. Staten, Mr. Cleland, Mr. McPhail and Col. Puntis. They listened nicely to our views and I think to a point were sympathetic. But their main objection—and I mention this because if the Architects are going to send a deputation, it may be of some help; the very strong plank in their platform was, "Who are we going to put on? The moment we put some on, somebody else comes along and says, 'I am a registered Quantity Surveyor, and demand that I be put on.'" I only mention that as I think it was their big objection. The other point they laid a good deal of stress upon was the fact that they had always had a large department which certainly one cannot gainsay: at all events since 1910. They said, "All we wish to do is to keep that department at the same strength. We say we are entitled to do that." Whether they are or not remains for you to consider; I am simply telling you what they told me. I would just like to point out that privately I thought Mr. Cleland very sympathetic, and I have two instances where he undoubtedly did personally get the work to private Architects. The one is where a limited competition was held for the East Rand Hospital, in which Messrs. Cowin and Powers were successful. The other case is the case of the Technical Institutes on the Witwatersrand, which went to an Architect on the Reef; and at a later date, other institutes. I think you can take it for granted Mr. Cleland was very instrumental in getting that work out. He also was instrumental in getting private Architects appointed to help Mr. McCubbin, the Railway Architect, in his very large scheme for Johannesburg Station. I just mention this to show gentlemen, that Mr. Cleland is very sympathetic, and always has been, towards the private man.

Mr. W. J. McWILLIAMS: Mr. President, I should like also to express my pleasure at hearing Mr. Cowin's paper. It was very short, but it was very full of meat. Before going on with any remarks in connection with that paper, I would like to go back into the history of South Africa a little to the time before the Public Works Department was brought up to the standard that it was at the time of Union. Previous to that date—I speak mainly for the Cape Province—the work was done by the P.W.D., and there are some ghastly examples of their work. I think we have a great debt of gratitude to pay to the brain that conceived the idea of forming a Public Works Department

in Pretoria, with the ability and consistency of the work that they have turned out. I consider that this country this Dominion, is to be congratulated on the magnificent manner in which the architectural style of the country has been brought into its present state. You can take Australia, and you can take Canada, two large Dominions, and you can take New Zealand, and none of them can put forward anything that can compare with South Africa in its Public Works, for the excellence of its character, for the excellence of the design in every way, and the consistency, which I consider is much more important, because it develops a national character. I make no apology for giving the highest praise to the brains that were responsible for that, and in that respect I would couple the name of Sir Herbert Baker. I consider that to him is due the mainspring of the spirit that exists in South Africa to-day for the development of a South African national type; and it is a fortunate thing that this country should have had his services, backed by Mr. Cecil Rhodes, who was always an able man for selecting the right man for the right place. Now the Public Works Department has very ably carried out the tradition that was set by the Union Buildings, and their works have penetrated into every town in this country. And I for one can say that in every town where that work has been carried out, a great deal of good has been done. The fact that that has been done, does not in the least militate against the suggestion that Mr. Cowin has put forward this morning. I consider that the establishment of the Public Works Department up to the present has done nothing but good, but I do agree that the thing can be carried too far. I am very sorry indeed that Mr. Cleland is not here this morning to hear the remarks that have been made by various speakers, but I am more than delighted to hear that he is likely to be sympathetic. Mr. Cleland is an able man, and his department has been kept up to the mark all the time that he has been in charge. With regard to the matter of the K.A., I think it is a brilliant idea, and I see no difficulty whatever in the forming of a panel, or for the selection of the K.A.'s. And incidentally I was amazed to hear the Vice-President mentioning that method of voting as a Greek method. Well, gentlemen, I have fought for a long time, I have written to various promoters of competitions, with the idea of having the assessing done by that Greek vote, although I never heard of it by that name before. As a matter of fact I prided myself that it was my own idea! I developed that idea 25 years ago, on a competition that was held in Johannesburg—I forget now what the building was; but I remember the designs were placed round the room of what was called the Architects' Society, formed in Kruger's time. They held their meetings, and the various members who competed saw their work in comparison with the work of the other competitors. And I must say that the conclusion I drew then—I was only a youngster of about twenty-two or twenty-three—was that there was nobody better capable of judging those designs than the men who compiled them. That is the very suggestion put forward by the Vice-President, of giving every man two votes, and giving every paper a number, so that if any paper brought two votes for the same person, those votes would be disqualified. Therefore no man could vote for himself twice. If he was a conscientious altruist, of course he

would give two votes to somebody else. But he could vote at any rate only once for himself. And when you come to think of it, there could be no better method. I will defy anybody to suggest that the assessor for a competition, who may have drawn up the rules under which the competition is to be conducted, can in any sense be as well qualified to judge the merits of a number of sets of competition designs as the man who has worked on them and seen them through to the very end. Now, Sir, in regard to the suggestion made by my friend Mr. Williamson, I would like to remind him of the legend of King Bruce, of Scotland, because Mr. Williamson has said if this goes forward now and is not properly put forward, we can give up hope for ever. Well, I am not going to give up hope for ever: and if Mr. Williamson will remember the story of King Bruce and the spider, he will remember that he considered it a good many times. I think the Greek vote is the only solution for the selection of the men to form the panel, and after the thing has been developed for a number of years, the time will come, I suppose, when architectural education in South Africa will have attained to such a degree that we will be able to accept the French method, which I think is very excellent indeed. I don't think I have anything more to say, Mr. President, but I consider that the suggestion put forward by Mr. Williamson well worthy of consideration. At the same time we must pay tribute to the excellent character of the work carried out by the P.W.D., and we must impress on the architectural profession in this Union that it should be the aim of every person to establish a South African character in his work.

THE PRESIDENT-IN-CHIEF: I would like to explain the origin of this Greek vote, gentlemen. Mr. McWilliams says he thought it was only about 25 years old. As a matter of fact it is recorded in Grecian history. There was a Grecian ruler who wanted to honour the bravest man in his army. After a battle, this ruler asked each soldier as he came back, "Who was the bravest man in the war?" Naturally each man said he was. The ruler obviously could not arrive at it that way, so on thinking it over he then asked his soldiers, "Next to you, who was the bravest man?" So he took all the next bravest men, as the voting went, and in that way he was able to make his decision. That is really the origin of it.

Mr. D. A. McCUBBIN (Johannesburg): Mr. President, I just wish to say that if any of the delegates, especially those from the Coast, would like to see the plans and working drawings of the new Railway Station, I should be very happy to show them some this afternoon.

THE PRESIDENT-IN-CHIEF: Thank you, Mr. McCubbin. I am sure the delegates will be very interested indeed to see the plans and working drawings.

Mr. W. H. LOUW: Mr. President, I am afraid I omitted to mention one point just now; it is so important that I hope you will allow me to stand up again. It is on the question of fees. Unfortunately I was not present yesterday. At the Cape, the Provincial Administration will not recognise more than they did before

—five per cent. Naturally I made use of the opportunity in discussion to try to point out to them, that the P.W.D. costs, in their clerical and technical staff, were about 30 per cent., or more.

Mr. RITCHIE FALLON: With regard to the Greek vote, there was another point in Mr. Cowin's paper—the French method, which I really think should be considered by the Central Council for the future; where a man has taken a course and become qualified and has had in addition five years in practice. That might be put forward as a proposal for the future. I don't think there is any risk in the case of a man who has been in practice for five years and who has got the necessary qualifications: his work can be judged. It does not necessarily mean that everyone of those will be appointed or put on the panel. But I do think it is a matter that can be discussed by the Central Council; and in discussing matters with the Minister, it might be put forward as a very good suggestion for the future.

THE PRESIDENT-IN-CHIEF: Gentlemen, we have arranged to have a verbatim report of all the pro-

ceedings of this Conference, and the Central Council will undoubtedly go through that verbatim report, and the recommendations and suggestions of the different members will be considered.

Col. HURST: I understand that competition for the League of Nations Headquarters is being judged that way, with the Greek vote; I saw it in the paper some little time ago.

THE PRESIDENT-IN-CHIEF: I think we may now put Mr. Cowin's resolution, seconded by Mr. Sinclair, to the vote. The resolution reads: "The Central Council shall press the Government and other public bodies for consideration of the claims of practising Architects and Quantity Surveyors for architectural and quantity surveying work, and these bodies should be asked to allocate a portion of their annual programme to be carried out amongst the practising Architects and Quantity Surveyors of the Union."

The resolution was carried unanimously.

PROVISION OF PERMANENT HEADQUARTERS WITH CLUB FACILITIES AND REFERENCE ROOMS.

By D. L. NURCOMBE.

Mr. President and Gentlemen:

When I suggested this subject for discussion at the Congress, it was not my intention to say very much myself. In fact, I earnestly hoped that it would fall to the lot of some abler (and perhaps older) speaker to handle this question.

However, Sir, I do feel that, early as it may be to discuss such a matter as permanent headquarters for the Institute, it will at least do no harm to consider the advisability of taking such a step.

To me, the absence of any place in this town where I can meet fellow practitioners is a serious loss, and I know that others are of the same opinion.

Lest it be thought that I am speaking for Johannesburg alone, let me say at once that my suggestion is that the Central Council, through the various Provincial Institutes, should take steps to secure permanent premises in each province. In the case of Johannesburg, these premises, under present conditions, would be the headquarters of the Institute.

These institutions in the various centres would, I feel sure, do much to bring members throughout the Union in closer touch with one another. Country members desiring information regarding building materials would be furnished with full particulars from their nearest centre.

It must have been the experience of nearly every practitioner at some time or another to have been at a loss to know where to procure, for example, certain special stone or similar material. It would assist one

enormously if it were possible to write to headquarters and obtain the necessary information.

The question, and the most important one of course, is, how can the Institute (or the various Provincial Institutes) afford, in their present financial state, to acquire property? The answer is, I think, that many members would be willing to supply the necessary financial support if they had security in fixed property.

Following out a scheme which is worked on a large scale I believe in New York, it might be possible to set aside a portion of the premises for the display of samples and literature in connection with materials of interest to architects. It will be generally agreed, I think, that to have anything like a representative selection of building materials and catalogues in a private office is almost impossible, and in any case necessitates a separate sample room, which is not always easy to obtain; whereas, under the suggested scheme, an Architect would be in a position to make his selection of various materials at the same time, and also obtain particulars as to price, etc.

The question of financing such a scheme is one which will require a great amount of time and consideration, and I do not propose to touch on it. My object has been merely to find out whether the need of such facilities as I have outlined is generally felt.

We have heard a great deal about students since this Congress opened. Surely, when they enter practice, the best way to ensure that the professions may be raised in dignity is to bring all Architects, and especially the younger ones, into closer touch with each other and with the Institute.

Discussion on Mr. Nurcombe's Paper.

THE PRESIDENT-IN-CHIEF: Gentlemen, we are very indebted to Mr. Nurcombe for this paper. I think you all know our relationship in the past with the Scientific and Technical Club, which is, of course, a Johannesburg institution, but its aims and objects were on somewhat similar lines to ours. It was composed of the constituent societies of all professional bodies, who had representatives on the Council. Now, each member of each constituent society was *ipso facto* a member of the Scientific and Technical Club, but the astonishing thing was, in view of the facilities that were given to our members, how few availed themselves of them. I should think not more than three or four per cent. of our profession used that Scientific Club in the way it was intended to be used. Unfortunately, on account of the expenses involved in promoting the Act, we were not able to continue with the Scientific Club—I think it was the Associated Scientific and Technical Societies of South Africa, with which was incorporated this club. We hope at some future time to rejoin this Association and get the full benefits of its club again. But the condition was that we had to pay a guinea per member for each member on our Register and Roll. We were able to do that in the Transvaal until this Act was passed; as you know, a Central Council was formed, and the Central Council demanded, according to the Act, two guineas of the five guineas subscribed by members, leaving only three guineas for the Provincial Institutes to carry on their work. From the three guineas we could not afford the one guinea to the Scientific Club. Accordingly we put it up to the members and asked them if they would subscribe a further guinea for that purpose, and the voting was distinctly against it. Now, as I say, we hope that our financial position ultimately will be such that we will be able to rejoin them. And I think myself that an institution of that kind is really better in its way, because that institution was able to speak with one voice as representing the whole of the professions throughout the Transvaal. Many and many a time most important matters arose where we were able to use our influence on behalf of a particular profession. Our own profession was one particular instance. There were about ten constituent societies belonging to this Association. One particular Society opposed our Act. We appealed to that Association and had a very long meeting there; it was rather a lively meeting, but the end of it was that we got the support of every one of the Societies connected with that Association, and they demanded that this particular Society that opposed our Act should withdraw its opposition, and sent telegrams down to every Member of Parliament at the time mentioning that ten constituent Societies were in support of our Bill. Now, I think that is an ideal position. We were very sorry when we had to withdraw from that Association, and we are looking forward to the time when we can rejoin. Now, to have an institution of that kind of our own is in the first place almost impossible, financially; in the second place it is a debatable point whether we were not much better off being associated with these other professions. They were all more or less on similar lines; their objects were all the same; some of them had registration, some had not. We were able to assist those who had not in framing Acts and talking over things in con-

nection with registration. I think personally that is really the best ideal to aim at. I just throw this out, gentlemen, by way of discussion.

Mr. R. H. JONES: Could not, in a matter like that, financial support be obtained from merchants and manufacturers, who could supply samples and exhibit them? You could get an annual sum from them in the form of an advertisement, to finance the scheme.

THE PRESIDENT-IN-CHIEF: In reply to Mr. Jones, that was attempted. We made certain people honorary members—something of that kind; and we anticipated a large number of merchants coming forward. We forthwith went to the expense of having a very large board made—much larger than the one yonder—and I think there were about three names on it at the top. It was a hopeless proposition. The astonishing thing about it was this. The engineers are undoubtedly the largest constituent body in that Association, particularly the engineers associated with the mines. The Chamber of Mines came to our assistance handsomely; I think they lent us £10,000 for some considerable time free of interest. But not a single mining magnate subscribed, other than through the Chamber of Mines one single penny for the upkeep of that institution. In a country like this, where you have magnates by the dozen, who have made their fortunes entirely in South Africa, not a single penny came from any one of them to us, representing that institution.

PROFESSOR G. E. PEARSE: Mr. President, in view of what you have said, and in view of what our experience has been here, while I heartily agree with Mr. Nurcombe, I do feel that this scheme is somewhat premature. But it should not be lost sight of, and I would like to urge the Central Council to keep it in mind. After all, we are very scattered as a profession; we have a number of small centres throughout the country, and it is only in the bigger centres, like Johannesburg or Capetown, that such a scheme could be brought into being. But in view of our experience in the Scientific Club, and the lack of interest shown by the architectural profession here, I do not think any scheme of this sort can possibly be started as yet. I do feel that in the future we will get a better *esprit de corps*, particularly with the younger members coming on, criticising each other's work and constantly being brought in contact with each other. I am trying, up at the University, to get a collection of all the building materials in South Africa; we have a wonderful library there, and only about four members, out of some one hundred in Johannesburg, ever come up and use it. That rather indicates the present state of affairs, and I would like to take this opportunity of urging members now, if I may, to see what club facilities we have there. I do feel, if they use these facilities more than they do, we can gradually get the nucleus of a very fine collection, and collaborate with a central club in the town. We have a library of the Provincial Institute up there, we have a large number of gifts on loan, which I know are only being housed there until such time as we have some central premises. But the financial situation as at present is not very satisfactory: you want money for so many things. As I said, while the scheme is an excellent one, it is a little premature.

Mr. W. J. McWILLIAMS: I sympathise entirely with the reader of this paper; it is exactly the feeling I had at his age, when there was not the possibility of benefitting by the knowledge that was general in the profession. I am extremely sorry to hear that the Technical Club was voted against, as you have told us. I entirely agree with the remarks of Professor Pearse, that this thing will become more insistent as time goes on. I think with the education of Architects that is taking place in the country now, that the time will come when our membership will be on a somewhat more mental plane. It is impossible to make a success of any

society, especially a technical society, where a large number of the members are of very inferior qualification. But as time goes on, I think our membership will become much more consistent, and then will be the time that one can look forward to, to making a success of this idea.

THE PRESIDENT-IN-CHIEF: Shall we agree to forward this paper to the Central Council for its consideration?

AGREED.

PROFESSIONAL ETHICS.

By T. G. ELLIS.

Mr. President and Gentlemen:

I have suggested this subject for discussion because in the course of my experience, I have been told of many queer things that seem to be fairly prevalent amongst a great many of our professional brethren. The word "ethic" relates to morals and has to do with human character and conduct.

As a professional body of Architects, are we above public reproach in regard to our standard of character and conduct? For instance, why do we occasionally hear people say "there is no need for an Architect." This was actually said to me only a fortnight ago by a client, also a professional man, and, after he had received the preliminary sketch and had come in to discuss the scheme, he said quite frankly "My brother suggests I should place myself in the hands of a builder direct."

Why is the proportion of plans passed by the Transvaal Municipalities higher than those prepared by registered Architects? Do the general public think the standard of architectural ability higher outside our own ranks, or is it because our business morality is lower than that of the builder, and because of vague rumours of the questionable honesty of the profession generally, that they would rather deal with one possible rogue than with two!

This, you will say, is a serious charge to make, and will take a great deal of proving. The proof, naturally, is difficult and perhaps impossible. But let us take a few examples, for instance:—

When I placed my first order for ironmongery with a well-known firm in Johannesburg about fifteen years ago, I was asked by the Assistant serving me "What percentage should be added for you?" As I had only then just returned to South Africa after having completed my training in London, and never having heard of such a proposal, I asked if this was the general rule and was informed that it was.

Another case—also in Johannesburg. A builder showed me a Bill of Quantities which provided for the usual Surveyor's charges of 2½ per cent., but in addition, and this is what he pointed to, there was written in pencil, "Add a further 2½ per cent."

Here is another case—in the country this time, and of recent occurrence. An Architect had issued Quantities for pricing, but on the builders asking to see the plans, they were informed a charge of five shillings would be made for that privilege. The builder who told me asked if it were the usual custom amongst Architects to make such a charge!

Then there is the Architect who deliberately inflates certain items in the Quantities and claims the saving as a perquisite at the end of the job.

Such cases are, no doubt, known to most of us by hearsay, and, because we are unable to persuade witnesses to give evidence in black and white, a direct charge against the culprit is impossible.

Believing there can be "no smoke without fire," I am persuaded to accept the existence of such practices, to which I can find no better word to apply than "theft." And it is theft of the meanest sort. A client in placing himself in the hands of a professional man does so because he is under the impression the Architect is going to guard his interests and lay out his money to the best advantage.

I have an acquaintance in Pretoria who, a few years ago, decided to give the planning and carrying out of his house to a friend of his on the Staff of the Public Works Department to whom he was prepared to, and did, pay the recognised full fee, at the time, of 5 per cent. That friendship was broken soon after the job was finished and paid for, because the Public Works Department Assistant not only received the full fee, but 5 per cent. from the builder in addition.

These examples will suffice to illustrate and to introduce our subject.

Our profession, Gentlemen, is in one respect unique, inasmuch as we are paid to expend our clients' money in building enterprises. We are therefore placed in a position of trusted responsibility which is usually only given to men of honourable character and morality.

As a registered body of men, we should guard that trust zealously, and to those of us who have made ourselves responsible for the training of the new generation of Architects, it should be one of our duties to inculcate into their minds the importance of observing a strict code of business ethics which will bring respect and greater confidence in the profession to which they have the honour to belong.

By Registration, it has been argued, professional control will be obtained to the benefit of the employer, the profession, and the public. The onus, therefore, of exercising professional control is thrown on to the Council particularly, and we as individual members of a registered body are under an obligation to discharge our duties faithfully in every respect.

What then should be our standard of conduct ?

As a Member of the R.I.B.A. it seems to me we cannot do better than observe the accepted and established customs, and more particularly the Chapter and By-laws by which the Royal Institute is governed.

The following suggestions, which I have obtained from the Journal of the R.I.B.A., issued on the 18th August, 1923, may be considered to record in a general way the practice of Architects, and also to indicate a standard of conduct.

1. An Architect is remunerated solely by his professional fees and is debarred from any other source of remuneration in connection with the works and duties entrusted to him. It is the duty of an Architect to uphold in every way possible, the Scale of Professional Charges adopted by the Royal Institute. An Architect must not accept any work which involves the giving or receiving of discounts or commissions, nor must he accept any discount, gift or commission from contractors or tradesmen, whether employed upon his works or not.
2. If an Architect own, or have a commercial interest in, any material, device, or invention used in building, he must inform his client thereof, and must obtain his sanction before permitting it to be used in works executed under his direction.
3. An Architect must not publicly advertise nor offer his services by means of circulars. He may, however, publish illustrations or descriptions of his work, and exhibit his name on buildings in course of execution (providing it is done in an unostentatious manner) and may sign them when completed.
4. An Architect must not attempt to supplant another Architect, nor must he compete with another Architect by means of a reduction of fees or by other inducement.
5. In all cases of dispute between employer and contractor the Architect must act in an impartial manner. He must interpret the conditions of a contract with entire fairness as between the employer and the contractor.
6. An Architect must not permit the insertion of any clause in tenders, bills of quantities, or other contract documents which provides for payment to be made to him by the contractor (except for duplicate copies of drawings or documents) whatever may be the consideration, unless with the full knowledge and approval of his client.
7. An Architect should not take any part in a competition as to which the preliminary warning of the Royal Institute has been issued, and must not take any part in a competition as to which the Council of the Royal Institute shall have declared by a Resolution published in the Journal of the Royal Institute that members or Licentiates must not take part because the Conditions are not in accordance with the published Regulations of the Royal Institute for Architectural Competitions.
8. An Architect must not act as Architect or joint Architect for a work which is or has been the subject of a competition in which he is or has been engaged as Assessor.
9. It is desirable that in cases where the Architect takes out the Quantities for his buildings he should be paid directly by the client and not through the Contractor, except with the previous consent of the client.
10. The business of Auctioneering and House Agency are inconsistent with the profession of an Architect.
11. An Architect must not accept an appointment in any commercial firm in which the extent of his remuneration is affected by the profits of the firm.

With these few words I would like to finish with a special appeal to our members, but more especially to those who have not had the privilege of a training indicated in my remarks, and I say this advisedly because it is no use blinking at the fact that many of our members can make no claim to an adequate architectural training.

The profession to which we have the honour to belong, is one of the oldest known to civilization. In its long history and traditions we can point to names and works which are cherished by every man of culture. We cannot all be great, and we are not all given the opportunity of creating monuments to our everlasting memory, but we are given at least the opportunity of gaining for ourselves in our own generation the name for being honest, of good character and sound judgment in all things pertaining to our profession.

Discussion on Mr. Ellis' Paper.

Mr. ALLEN WILSON: Mr. President, we have all listened to Mr. Ellis with great attention. I think he has probably made the case as bad as he possibly could in order that we should get a good discussion on the subject. I hope things are not quite so bad as he makes out. Perhaps I have been more fortunate in my practice, but what he has referred to has not come within my ken to any serious extent. At the same time I think that merchants very often do this in ignorance. I don't say that the bulk of the merchants are building material merchants, but there are people such as asphaltes, one of whom—I don't think he had done work for an Architect before—produced a cheque for six or seven pounds. I said, "What is this?" He said, "That is your commission." I said, "It is very nice of you, but I get paid by my principal. But I am glad you have brought this cheque along. I will write to my principal and tell him I made a mistake in the certificate, and that there should have been a discount taken off, and that you will have very much pleasure in sending it to him." "Oh," he said, "I am not going to do it." "Well," I said, "I shall write that letter whether you do it or not." I need not tell you the employer came to me and he said, "What is this funny little thing?" I said, "It is only a discount. I made a mistake." "No," he said, "It is something more than that." "No," I said, "the man did not know. He thought he had to pay me." I am certain in that case this was perfectly honest, but the man had got it from somewhere else. And, as Mr. Ellis said, where there is smoke there is fire. Therefore there must be something of the sort going on even to-day, and we must do all we can to stop it. In regard to the matter of builders' discounts, I think it is important that we should do away with them. I think an Architect, when he takes an employer to a building merchant, should tell him at once, "I want you to quote your prices nett, with the discount off," and also tell the employer at the same time that he is getting a low quotation. And then take him to another building material merchant and there get a similar quotation, and give him a fair comparison. If that was done in every case I think the merchants would get tired of doing it; in fact, I know they would. I had a lot of it at one time, but to-day when I go into a place they don't ask me a question at all: they know exactly that they quote the lowest possible price, and therefore the employer gets the benefit. And the builders have told me I buy better than they can buy themselves; that has been told to me. Mr. James Thompson paid me that compliment one day. That is what we should do. Let the builders put what price they like on their notes, but don't let us have this hidden trade commission or trade discount, whatever you like to call it. I am very hot on this subject, and I have tried to wipe it out in my own profession. And I think if every practitioner was to do the same thing, merchants would get tired of offering these suggestions. They tell me they can't help it because people come in and say they must have commissions. Now, Mr. Ellis read something out of the R.I.B.A. Journal. He spoke about quantity fees being paid direct. I think you are aware, Sir, and I think most of the members of the profession in Johannesburg are aware, that I have refused for a great number of years ever to receive quantity fees through a builder,

unless with the knowledge of the employer. Sometimes it suits the employer that they should be paid through the builder; but I make it perfectly clear that the builder is not paying for the quantities. He is simply providing for them in his own estimate, and he is handing the money over. As far as the discount is concerned, I think our new Act will help us greatly in guarding against that kind of thing in the future. And I do support Mr. Ellis, that we must stamp this thing out once and for ever. And if any of our members are found doing it, they must be prosecuted and proceeded against with the utmost rigour that we can, under our Act.

Mr. J. PINKER (Durban): Mr. President and Gentlemen: I can give you a recent instance. I had an electrician from Johannesburg down to carry out a job at Maritzburg, a decent-sized job, between £8,000 and £9,000. He distinctly said to me, "I shall provide your 10 per cent." "Oh," he said, in reply to me, "it is usually done." And he gave me the name of a member of our Institute; he said, "So-and-so won't give me the order for less than 15 per cent." I state this as a definite case; I know the names. And there is an agent, who has the monopoly of English goods, whom I know here in the town; he has a business also in Capetown, Port Elizabeth, Durban, Pretoria. He has told me, "I refused to do it, but I am told, if I cannot allow a discount, they won't specify my goods."

Mr. L. NORMAN: Mr. President, regarding builders' discounts, I cannot say that I agree with Mr. Allen Wilson in that the builder should be deprived of what is recognised as his legitimate discount; that is to say, that a builder usually gets a larger discount from the merchant than the ordinary individual. And I think that 10 per cent. constitutes part of his profits. We usually find in a bill of quantities, with these P.C. items, that there is a little added; sometimes not at all. And I don't think it is fair for the Architect to deprive the builder of that recognised discount. I know myself, whenever I go into items of goods wanted in the work, I am always asked, "Are we to allow for the builder's discount?" And I distinctly tell them to do so. Therefore, as I say, I don't think it is for us to deprive the builder of what is considered his legitimate profit.

Mr. ALLEN WILSON: I would like to reply to that now. I have not tried to deprive the builder of any profit. It should be stated that it is a nett allowance on P.C. items, and the builder has to add whatever profit he wants. One builder, say for a lift, may put down £1,500; he is satisfied if he gets £50 or £25. Another builder may want 10 per cent. for the very same thing. But let it be all straight and above board. I don't know whether everybody here knows it, but any man in this town, whether he sells clothes, boots, soft goods, or anything you like, can go to any of these building merchants and get the builder's discount. And they do it, too; it is being done every day. I say, if the builder is a good man, and pays his accounts promptly every month, let him get his cash discount, as against the man who gets credit for three or four months. That is quite legitimate, because the one man keeps a good capital to run his business, and the other man runs his business on the P.C. amounts.

THE PRESIDENT-IN-CHIEF: I might throw a little light on this subject. This particular point is really departing from Mr. Ellis' paper, but it is a point so bristling with interest that perhaps you won't mind if I just give our experience in connection with it.

Mr. HAROLD PORTER: On a point of order, Mr. President: could we put it down as a separate item for discussion?

THE PRESIDENT-IN-CHIEF: I think that is a good suggestion. "Trade discounts."

AGREED.

Mr. POWERS: Mr. President, I want to congratulate Mr. Ellis on his paper and for the very frank and outspoken way in which he has had the courage to tell this meeting what we all know perfectly well. It has given us a great deal of food for thought and reflection, and it has left a very unpleasant taste in most of our mouths. It is a very unpleasant thought. But at the same time it does exist among us, so let us face the thing frankly and try and do something. I would like to tell you, and I am perfectly certain that my Durban colleagues will support me in what I am saying that I think the amount of domestic work in Durban that goes through an Architects office is probably less than 10 per cent.; more particularly in that new area that has been put up in the last few years known as Stella-wood. I don't suppose you will find ten houses in that area that have been built by an Architect. Where is the trouble? Why do people say, "Don't go to an Architect?" If they don't say it, well, they do it. Is it the fault of the building put up? We have in Natal a very old, sound institution known as the Natal Building Society. The Natal Building Society's methods have come up for discussion before the Natal Provincial Institute, and they are well known. I might first mention that that particular Society, rather different to the Societies on the Rand, employs its own building inspectors. One has just retired after many years' service, and received a good deal of eulogium in the Press a few days ago. It has its own building inspectors, and its policy is somewhat different to the Societies on the Rand. The Natal Building Society will tell a borrower frankly, "Don't go to an Architect. If you want to go to an Architect, go and get your plans made. The Municipality will pass the plans, and our building inspector will see that you get a good job." There must be some reason for that. The principal of one of the big educational institutions in Durban recently told me personally of his experience. He is an old bachelor, living with his sister. He is a peculiar man with peculiar ideas. He built himself a house. He went to an eminent Natal Architect, Mr. Wallace Paton, and he went to the Natal Building Society for the loan. He knew it was a peculiar plan, because, as I say, he had peculiar ideas. A few days later he had a note from the Chairman of the Society—"Will you come and see me." Naturally he thought the plan would not commend itself to the directors and therefore the loan would be turned down. He was very much surprised when the Chairman said, "You know, we have passed a loan on your plan, and I think you will get a very nice place. But take my advice: go and pay off your Architect for what he has done, and

let us carry out the work." Now, there is some reason for that; there must be a reason. I don't mean to suggest for a moment that Mr. Wallace Paton was the cause of it; we all know he is a man above suspicion in every respect. But I am very sorry to say, for the four years I have been in Durban, the morale among the architectural profession is so low, that people would rather put themselves in the hands of a speculative builder, or have the work carried out by the Natal Building Society. The first job I did through them, surprised me. I said to the contractor, "Don't you want any money on this job?" "No," he said, "I don't want any money. I have just had £700." I said, "Where on earth from?" "Well," he said, "the usual percentage. The inspector came up and had a look round and said, 'Here's your fee.'" And the Architect puts in a certificate; it is not honoured as his certificate, but it is endorsed and usually altered by the Natal Building Society's own inspector. I am afraid you may think I am romancing a little, and I should like my colleagues in Durban to corroborate what I am saying. But I do wish to thank Mr. Ellis for his paper; it is an honest, straightforward attempt to clean up what we know exists in our practice, and which most of us hardly like to admit. And I think Mr. Ellis is to be congratulated on having the courage of his convictions and saying what he has said.

Mr. A. G. CROSS: I would like to congratulate Mr. Ellis on his paper also, but I rise to confirm what Mr. Powers has said with regard to the Building Society. But I would like also to say that more than ten buildings have been done by Architects at Stella-wood, as I myself have done nineteen. The usual procedure with the Building Society is that they ignore the Architect's certificate altogether and issue their own certificates. Very often it is very difficult to make out the accounts with your clients owing to the conflicting figures raised by the variation by the Building Society in payment of the builder. We have to adjust the matter by working one certificate against the other.

Mr. SINCLAIR: I just want to congratulate Mr. Ellis. I myself have had a lot of experience of this matter through the Building Societies. I can assure you what Mr. Ellis said is correct. I think we must face this matter. As long as members of the Central Council principally, and then the Provincial Councils, know this thing is happening, then I am certain something will be done. I know it is not amongst the senior or decent members of the profession that these things happen, but there are members unfortunately who do it. I think when it is generally known amongst the members, it will be scotched.

Mr. R. H. JONES: I have had the same experience. They come to me to prepare the plans only, and then they say, "Well, we will give you a fee; come down and inspect the work when we tell you." So they carry out the work with about four inspections, and charge for certificates; and there is no six per cent.

Col. G. T. HURST: What Mr. Powers has said is quite true; on his advent in Durban he learned something we knew, what we had been having for years. We have too many pirates in Durban drawing plans. At one time there were too many builders associated

with the Building Societies as members of their committee; I am glad to say to a great extent these men are being eliminated. We are getting lawyers in their place, but I think a lawyer is even better than a builder, as far as that is concerned. In regard to this matter of the Building Society arrogating to itself the right to issue certificates and overriding the Architect, I got over that difficulty by arranging with the Building Society that it would not issue certificates that varied from ours. And when the certificate was to be called for I would tell them what the amount was. I have arranged with the builder since then that he should come to us for certificates, and not to the Building Society. I don't know whether what we do may be *infra dig.* on the part of an Architect, but we found it worked well. The real trouble with regard to the plans was these pirates; that was one of the difficulties we have been up against for a long time. What Mr. Powers has said is perfectly correct.

Mr. F. WILLIAMSON: Arising out of Mr. Ellis' most interesting paper on a very ugly subject, I would like to advise the meeting, if I may, Sir, of a decision made by the Executive Committee of the Associated Scientific and Technical Societies, some two or three years ago. That Executive realised that prostitution of professional ethics such as we are now discussing obtained in most of the professions in South Africa. They formed a special sub-committee to go into the matter. They communicated with all the countries in the world, in connection with all known professions, with the object of ascertaining whether a code of professional ethics obtained in any particular profession. As the result of this inquiry, they received, as far as I can remember, some ten or a dozen copies of clearly drawn up codes of professional ethics. I am not sure what their final step was, or whether as the result of delving into this they managed to draw up a code of ethics satisfactory for all professions; but to the best of my recollection they decided to advise their several bodies that these codes of ethics were in the files of the Scientific and Technical Societies. And in view of the very unfortunate state of affairs in many professions, the individual societies were advised to collect these and consider the advisability of drawing up a code of ethics for any particular society or profession. With this object in mind, I would like to ask Mr. Ellis if he would be good enough to obtain this information from the Scientific and Technical Societies and draw up a proposed code of ethics for the architectural profession. With his particular knowledge of the troubles detailed in his paper, I think he should be able to take advantage of the various important points brought up, and draw up a very satisfactory, at all events, tentative, code of ethics for our profession. This might, in modified form perhaps, even be included in future issues of our Act and Regulations. I do not personally see, unless we can definitely put down such a scheme, how the difficulty is to be got over. We know it unfortunately exists, although perhaps the malpractice is not as bad to-day as it was years ago; yet we have no definite means of tackling the problem. We may be able to do something individually, but collectively I think it is a very difficult subject to attack. I therefore suggest that if Mr. Ellis would be good enough to draw up such a code of ethics, for the consideration of the Central Council, and with the possibility of add-

ing this code to the future issues of our Act and Regulations, a very good purpose would be served.

PROFESSOR G. E. PEARSE: Mr. President, I would like to make another suggestion to the Central Council, and that is, in view of what has been said this morning, and the remarks made about Building Societies—and I think the same applies to a good many Township Companies—that some sort of statement should be prepared by the Central Council, to show what our ideals in this respect are, and to urge members to co-operate with the Central Council of the Institute of Architects, right through the Union, to see if we can clear up this most unpleasant state of affairs that appears to exist. I am quite sure that if the Central Council, representing the whole profession, as it does, could put a carefully worded document before the Directors of every Building Society and every Township Company and even before the Master Builders' Associations, we would get a good deal of support. And in that way, I am convinced, a good many of the malpractices that exist at present might be got rid of. I feel that the Builders should be urged to co-operate with us. They have asked us to accept things such as their official envelopes, mainly, I think, to raise the status of their own profession; and we in turn should ask them to support us in what we want to do for the future. So I would urge the Central Council to consider this seriously. If such a code as has been suggested by Mr. Williamson is drawn up, it could be used as a basis. And if the various Provincial Institute Councils could do the necessary work in their centres by sending deputations to the Boards of Directors of Companies and Building Societies, and put the case as strongly as possible, we might do a great deal of good.

Mr. E. M. POWERS: Might I speak again, for a moment? I hope the Central Council will be able to give us some ruling, or suggest some line of action, in a case which I will detail very briefly. In my official capacity as President of the Natal Institute, I was approached only three or four weeks ago by a firm of solicitors to give evidence in a case of malpractice by a Natal Architect, a man at the present time on the Natal roll and at one time on the roll of the Transvaal. I naturally hesitated and asked, "What is the nature of the case?" He said, "I only want you to give official evidence regarding the scale of fees." I said, "Oh, in that case I will come along." The case, briefly, was this, that a farmer in Zululand had approached this Architect to build him a farm house north of Eshowe. He had arranged with him to supply plans and do all the architectural work for five per cent., and bills of quantities for the fee of two and a half per cent.; that was agreed by the two parties. I saw the bills of quantities, as alleged, and they were on two pages of foolscap. But when they came to settle up, the Architect and the Builder were at loggerheads over something. It appears that, in the presence of the employer, the builder said, "Yes, that's all right, but what about the £200 you asked me to put on for you." And the Architect said, "Oh, that is easily explained." "What do you mean?" "Well, there is two and a half per cent. for the builder's quantities—that is, the quantities I supplied to you—and there is £200 for services rendered to the builder

to enable him to order his material." But the curious point was—and the solicitor happened to appreciate it—that he was getting seven and a half per cent. not only on the cost of the job, but on the further £200 which he was going to put into his own pocket. Well, the case was to come up on a certain day. I held myself in readiness for a telephone message. It didn't come along. I rang up the solicitor and said, "What about this case?" "Oh," he said, "I will come down and see you." He came down again, having taken away previously the scale of charges and said, "That case won't come on, because the Architect is going to pay up in full, and he is going to settle it out of court." My reply was that that was most unfortunate, because that was a case that ought to have come before the public. Now, what can I do? I cannot bring it before my Institute, except unofficially. It is all hearsay. That man is not a credit to any society; he has been before the court on several occasions, and these things will go on because he settles them out of Court. Can the Central Council suggest some means by which we can officially do something to an individual like that, who is a discredit to the profession? There is no question about it, that we can do very little in Natal. On a different occasion when this Architect was before the Magistrate, he was told, "You are a disgrace to the profession to which you aspire to belong."

THE PRESIDENT-IN-CHIEF: The difficulty always has been, when a man hears of something like this, he writes anonymously to the Institute; he thinks he has done his bit and that the Institute can do the rest. Even if he put his name to it, he thinks his job is finished. But directly you ask a man for a sworn affidavit, you can't get it. Our Institute here had such an experience, and directly we wanted to bring the thing up to the scratch, they all backed out from giving the necessary sworn affidavits. That is the trouble: you hear things, hear-say here, hear-say there. But we cannot do anything, because we cannot get people to give evidence or sign affidavits.

Mr. POWERS: In this particular case the affidavit was there. The case was settled out of court.

THE PRESIDENT-IN-CHIEF: If you could have got hold of the affidavit, you could have worked on it. Now, gentlemen, I am surprised to find how few members are familiar with this particular document: this is a copy of the Scale of Professional Charges taken from the Act. The object of printing these was that each member should provide himself with a sufficient number so that he could forward one to each client, as he made his arrangements with his client in connection with the professional charges. The Central Council have thousands of these, and arrangements have been made to supply them to the Provincial Institutes for sale to their members. Any member can obtain from the Secretary of his Provincial Institute as many of these booklets as he requires, and it is the wish of the Central Council that you should make use of them, and in every case, if possible, hand one over to your client when you are dealing with him in connection with any professional work.

Mr. RITCHIE FALLON took the Chair after the luncheon adjournment.

Mr. McWILLIAMS: Mr. Vice-President, I cannot express the disgust with which I have heard the remarks that have been made in reference to the profession at this morning's session. It leaves a stench in one's nostrils, and it is up to this Institute to do something other than issuing pious pamphlets for the purpose of impressing on Architects themselves what the ethics of the profession should be. Personally I don't see that the slightest remedy is going to be gained amongst the members of the profession as things are to-day. I consider that the remedy by inculcation during the period of studentship might have some results; in fact if a good selection of students were made, if it were possible, I think the thing might rectify itself. But the profession to-day, from what has been said by the Durban delegates, is evidently in a very rotten state indeed in that province; and it looks to me, if it has gone so far, there is nothing to prevent it getting worse. I consider that the suggestions that have been put forward here to-day are not going to remedy the thing as it should be remedied. For that reason I am going to put a proposal forward, and I am proposing it in all seriousness; that this Institute should advertise in the public press, broadcast over the Union, that it is prepared to offer a very substantial reward, £500, or £1,000, for any person who will give such evidence as will lead to the expulsion of a member of the profession from this Institute if he is found guilty of accepting an illicit commission. There is no other method I can think of that will work, because it can be nothing but sheer greed on the part of the culprits that leads them to commit the acts they have done. And in my opinion, if such a substantial reward were offered, the result would be that they would watch one another. And I don't think you would require much more than one conviction to finish the whole business. I feel so strongly on the matter that, with the consent of my partner, I would like to offer £100 to the Institute funds for the purpose of establishing a Reward Fund, provided of course that there will be ten other members, or a number of other members, who would contribute the balance. I can see no other way of doing it unless it be that the Institute should advertise on those lines. And if the reward is gained, borrow the money and pay the interest into a sinking fund in order to liquidate it. I think if we do that, we clear ourselves in the eyes of the public, and we cut the ground from under those Building Societies who are preventing legitimate professional practitioners from doing the work that leads to the beautification of a suburb that is being established, such as that mentioned, Durban North; and not only there, but in every other place in this country. I hope this will be seconded for the sake of discussion, because if we don't do it, all I can say is, that it is a disgraceful thing to the profession. And it will grow—and, well, Mr. President, I am too full of it to say what I would like to.

THE VICE-PRESIDENT: I think I might just ask Mr. McWilliams to put that down in the form of a resolution, separating it from his remarks.

Mr. E. M. POWERS: I take it Mr. McWilliams will not stipulate necessarily illicit commission, but all malpractices. Illicit commission is only one of them.

Mr. McWILLIAMS: I quite understand Mr. Powers' position. But the thing that is stultifying the profession in the eyes of the public more than anything else, is the illicit commission. If these Building Societies or any laymen get to know that an Architect, in addition to charging his five per cent. fee, is going to the building material supplier and taking another commission, well, I don't blame the laymen and I don't blame the Building Societies. I would like to confine it to this matter of illicit commissions. If we find it acts very well, we can extend it. But if you extend it too far, you have too much exposition in the press. I consider if the thing is published in the press it should contain, after offering the reward, what is considered by the profession to be an illicit commission; and then you can clean your stable. There is no other way I can see of doing it. I would put it in the form of a resolution; That it be a recommendation to the Central Council to offer a very substantial reward (it must be something very big indeed that would catch the public eye and impress the public) for any person bringing such evidence as will lead to the expulsion of any member of this Institute proved guilty of accepting illicit commissions.

Mr. W. F. WALDECK (Bloemfontein): Mr. President, I beg to second that.

Mr. F. O. EATON (Port Elizabeth): I regret that I do not find myself in agreement with Mr. McWilliams. If the Central Council published all over South Africa that they were giving a reward to anybody who would give evidence against their own members, the public would at once begin to talk and think, "Well, the Central Council must have a lot of confidence in their members if they are going to do a thing like that." I think we ought to discuss the matter a little further and see whether it would be quite wise to do that.

Mr. McWILLIAMS: In reply to that remark of Mr. Eaton's, I fail to see, utterly, how any profession can be blamed for endeavouring by the best means in its power to clean up its ranks. It seems the only obvious thing to do. It is so insidious, it affects the whole profession, and everybody suffers from it.

Mr. EATON: If I may speak again, I maintain the remedy lies with members themselves. We all know of these different cases, but we hesitate and have hesitated in the past to mention them.

Mr. E. M. POWERS: It is really very difficult. My colleague Mr. Payne agrees, and we all agree, but I think Mr. McWilliams rather got hold of the wrong impression, that I attribute the trouble only to the Building Societies. The Building Societies would do their best—we have a case in point, where a certain Architect went with his client to the Building Society to borrow a loan for the erection of a certain building. That Building Society refused the loan; they wanted an Architect of standing. That is common knowledge. But it is the other rumours that are so insidious. "I paid that man five hundred golden sovereigns before he left for Europe, some time ago." There was another case of a man putting in £200 belonging to his tender. There again the case was settled out of court. They won't allow these cases to come into court. The same

individual, in another case, where a building owner wanted to raise money to build a hotel on the coast, got out plans. Tenders to be submitted to the Building Society. The contractor with whom he was in league put in a bogus tender, and more money was borrowed than the building actually cost. But no one will come and give evidence about it.

Mr. D. M. SINCLAIR: I have just been considering, as this has a lot to do with the merchants, whether we can appeal to the different Chambers of Commerce. If they know there is a strong feeling about this and if they get a very strongly worded resolution from this Congress, I think it would help a lot. At the same time I am greatly in sympathy with Mr. McWilliams' proposition, because unless we take up a strong stand with the public—perhaps the press will be doing it to-day—there may be a feeling that we are more or less blinking our eyes to it. We must show the public that we are absolutely against this sort of thing, and fully alive to it.

Col. HURST: Whilst sympathising very much with Mr. McWilliams' proposition, I am afraid it savours too much of heroics. I think if we followed that course it would eventually do us more harm than good. We keep our eyes very widely open in our own Institute—and we have suffered a good deal from it—and we very nearly succeeded in catching two men in malpractice. Let each Provincial Institute keep its eyes open very carefully: some day we will catch them. "Rogues will fall out," and the honest man will get his due; and some fine day we will catch these birds. As I say, I really think Mr. McWilliams' idea savours too much of heroics; it is rather publishing the fact that we have a lot of damned rogues in our profession. I don't say we have not; as a matter of fact we have. But I think a thing like that won't do us any good, if we advertise it too widely. Let us catch them first, then let us broadcast it about. If there is a case that occurs of this nature in the Cape, or in Natal, or anywhere else, let us then broadcast it and give the warning that way.

Mr. J. PINKER: Mr. President, I have the profoundest respect for the sentiment which Mr. McWilliams has expressed. I also think it would be more discreet if something in the way of an advertisement went to the public stating first that the Institute had received reports that things were happening in which fees were being accepted, contrary to professional ethics, and asking for information to be sent to the Institute, which would be treated in confidence. An advertisement like that will act as a deterrent. I hardly think keeping our eyes open will be sufficient. I am in a position to day to bring actual facts. If there is any reward, I can accept the reward this afternoon.

Mr. McWILLIAMS: I don't happen to know the last speaker's name, but I think if he has absolute facts, it is his duty to come forward with them.

THE VICE-PRESIDENT: I suggest the correct action for Mr. Pinker to take is to immediately notify his Provincial Council.

Mr. PINKER: I will consider that. I have already advised not washing dirty linen in public, but only acting as a deterrent. I think it would be very indiscreet for us to do a thing which would be harmful, as was stated, and would rather shock many of us, if published.

THE VICE-PRESIDENT: I would suggest from the Chair that the matter of discretion be left in the hands of the Provincial Council or the Central Council, to bring up if necessary; but that a private practitioner should not constitute himself a judge as to whether it should or should not be done. If a private practitioner has any information he should certainly lay it before his Provincial Council.

Mr. N. T. COWIN: Mr. President, I am sorry I could not possibly subscribe to Mr. McWilliams' drastic resolution. I cannot help thinking, with some of the previous speakers, that the impression on the public, that we have to take such violent measures to get our house in order, would make things infinitely worse than they are to-day. We have been told that the public have got a bad impression, but what are they going to have when this is broadcast over South Africa? I cannot possibly imagine that they would have any idea that the whole profession is tainted, that it has been found necessary for the Central Council to take such drastic action. It seems to me it would give an entirely erroneous impression to the public. What do these people who practise these offences amount to? Would they amount to ten per cent. of our profession? I doubt it; I doubt whether it would be more than that. Are we going to tar the whole profession with the same brush, by taking action like this, publicly? I think it is unheard of. We have got to put our own house in order, and it devolves upon our own members to do the cleaning up; not to ask the public to help us to clean up. We must clean up ourselves.

Mr. E. M. POWERS: I would like to move an amendment. I think Mr. McWilliams' proposal is too drastic. To a certain extent I agree with Mr. Cowin, but he gives us no remedy. Our President-in-Chief gave us no remedy this morning, only he said, "Produce an affidavit." My experience in the Transvaal over a good many years, when we had complaints made under the Transvaal Act, was that the procedure was exactly the same: we could do nothing unless we got evidence. I don't wish this Conference to go away with the impression that Durban or Natal is any worse than any other part of the Union; I don't think it is. I know there are the same malpractices going on in Johannesburg. As a matter of fact it is said in Durban that the men who are the worst offenders there have come down from the Rand. It used to be said in the old days that Johannesburg was the "University of Crime," but they cleaned up Johannesburg. I think the cleaning up process has been to the detriment of the Coast. You cannot offer a reward: it sounds like murder! My amendment is this: "That an advertisement be inserted in the papers of the Union, under the title of 'The Institute of South African Architects,' that anyone knowing of malpractices, such as the receiving of illicit commissions, should communicate with the Provincial Institute of Architects, who will take

such action as is necessary; and that such information will be treated as confidential."

Col. HURST: I beg to second that. A few minutes ago I was very much averse to any kind of advertisement or slogan, but in the last few minutes, since hearing Mr. Powers, I think it would be a good thing to let people know we are alive to the existence of these malpractices.

Mr. R. H. JONES: I think it would be the very worst possible thing to put an advertisement in the paper of any sort, because there would be thousands of people who would get the idea into their heads that that sort of thing is generally done, whereas now it might only be talked of amongst a few. You would broadcast it amongst the population, and you would make every person suspicious of us.

Col. HURST: I think the way the advertisement could be worded is this: that there is evidence that certain malpractices have been committed—without committing ourselves in black and white to the public definitely that we know there have been malpractices. We want to give a pointer to the people who might come along and help us to clear up this trouble. I think with a little bit of care a suitable advertisement could be drawn.

Mr. R. H. JONES: There are men who have a house built, or something like that: it might occur only once in a lifetime; and you are broadcasting this wholesale.

Mr. F. WILLIAMSON: I submit the people primarily concerned are the Architects and the Builders. To circulate both the Architects and Builders of the Union, would be sufficient. I don't like the idea of putting before the public the possibility of the continuance of this malpractice. One would consider it would be a far better policy if the whole of the Master Builders' Association throughout the Union, and the members of our Institute as well, were advised, in no uncertain terms, of our decision at this Congress.

Col. HURST: If you ask the Master Builders to accept this, it is like asking Satan to prove sin!

THE VICE-PRESIDENT: Might I suggest to Col. Hurst, the use of the word "alleged" might suit his proposition. And with regard to Mr. Williamson's suggestion, are you putting this forward as an amendment?

Mr. WILLIAMSON: No, only as a suggestion, that Mr. Powers might possibly amend his amendment, for more restricted circulation; to Architects, Master Builders, the Chambers of Commerce, and people closely allied.

Mr. POWERS: I am quite agreeable to accept that. I think probably it would be the better measure. One does not like, as has been suggested, washing our dirty linen in public. I think it would get more or less to the root of the matter. The people who, in the cases I have in mind, hand over the money are the contractors.

Mr. ALLEN WILSON: This morning I spoke on this subject in a way, generally, and the President-in-Chief mentioned that it was very difficult for the Central Council to take any action in the matter at all, even on the recommendation of the Congress, unless some definite sworn affidavit was given. Personally I found it very difficult to give a judgment, as one of the members of the Council, without having it before me in the form of a sworn affidavit. I do think, however, whoever brings the charge must bring the charge under an affidavit, and lay his cards on the table.

Mr. A. G. CROSS: May I call attention to the fact that, as all our deliberations on this matter have been reported, in the press, if they are reported in full we are getting all the advertisement we want.

Mr. McWILLIAMS: May I, as the proposer of this thing, say another word or two? I am really amazed at the attitude of the Congress on this subject. I am amazed at the little confidence that some have in the members of the Central Council. One would think that the members of the Central Council, if this resolution were passed, were going to put such an advertisement in the press that it would convey the impression that it was a general rule amongst Architects to accept illicit commissions. Mr. President, it is ridiculous to assume such a position. The Central Council would so put an advertisement in the press that it would appear that one or two persons—if could be put that way—have been alleged to have been contravening the ethics of the Institute, and then go on and explain and offer the reward. I consider if the advertisement is put in properly, it will have the reverse effect on the public mind to what several speakers seem to think. As for the other suggestions that have been put forward, with due respect to the proposers, I consider them just pious hopes and nothing more; and nothing will come of them, I can assure you, Mr. President.

Mr. N. T. COWIN: Ours is not the only profession in which there are malpractices; they come to light in other professions, and I take it we should not be averse to their coming to light and giving them the greatest publicity when we catch the culprits. But I do strongly object to broadcasting, and wrong impression getting about, that our profession is in a very bad state. That is the only impression the public could get if we take the action that has been suggested in either the resolution or the amendment. The other professions are cleaned up when offences occur, and they give every publicity; and that is what we should do. When we catch a culprit, broadcast the fact all over the Union, by all means, but don't let us go about it in this, to my mind, horrible way.

Col. HURST: Bearing upon the report which has been made concerning the difficulty of giving evidence, only a few weeks ago a builder in Durban, whom I know very well, said, "I feel dirty. Have you any disinfectant?" I said, "What is the matter?" He said, "I have just handed over twenty shiny five pound notes to an Architect, in Durban, as his share of the graft concerning P.C. items." I said, "You are just the man we are looking for. Let us clean this up." He said, "You know him; everybody in Durban knows him. I can't: I have to live as well as you have." I believe

he stated a fact: I am satisfied that he handed over a hundred pounds to this architect; but he would go no further. "I have to live the same as you have." As I said, we will catch him sooner or later; rogues will fall out.

Mr. F. O. EATON: As you know, we had two convictions recently in Port Elizabeth. I as secretary had quite a lot to do with it. The thing hung about a bit, and we had a lot of difficulty in getting the evidence. But I would just like to mention this: it was the public themselves who came to me and our Chairman and said, "So-and-so and so-and-so. Why don't you do something?" And for at least four months we had the public coming to us reporting these things and saying, "Why don't you do something?" You have had these malpractices going on for years and years. We have only had our Act a matter of months: I don't think you can hope to see the benefits of the Act in so short a time. But, as Col. Hurst says, rogues fall out; they will get their desserts sooner or later. And I think we just have to wait a little while. The public themselves are getting tired of the man who cuts his fees, and they are getting tired of the pirates.

Mr. W. H. LOUW (Paarl): As an anti-registrationist, I never placed very much trust in any code of ethics being entirely effective. Very much more do I place my trust in the good character and good sense of our Architects, which will prove themselves undoubtedly under the new Act in time. I feel it is taking too drastic a step to go to the extent of advertising at all. I do not see my way clear to voting either for the amendment or the proposition. It has been remarked, I believe by Mr. Powers, that in Durban, probably ten per cent. only of the work turned out is being done by architects. I can speak for Paarl, and say that fully 100 per cent. is not done by Architects, because I get only the School Board work, and all the other work is being done by men like the family sanitary engineer and so on. As I have said, it looks like putting a very bad reflection on the profession by advertising at all.

Mr. ALLEN WILSON: Will this go from this meeting as a recommendation to the Central Council, and is the Central Council to be tied down to this advertising?

THE VICE-PRESIDENT: No, that is hardly the position. The Congress can only make recommendations to the Central Council, but the decision rests with the Central Council.

Mr. POWERS' amendment, drafted as follows, was put to the vote: That it be a recommendation to the Central Council that some form of advertisement be inserted in the press to prevent the recurrence of alleged malpractices in the profession.

The amendment was carried (twelve votes for; nine against).

Mr. R. H. JONES: I want to add, that there is an engineer in a town not far from here who was actually allowed by the Council to draw plans for the public, to add to his income. I happened to have work in that district, but I lost it through that state of affairs.

Mr. T. G. ELLIS (in reply): Mr. President and Gentlemen: I don't know that I have very much to say. Mr. Williamson this morning made the suggestion that perhaps I might draw up a code of ethics. That, of course, I am quite prepared to do, but I would not like to do it myself. It must be done by a Committee; I am quite prepared to be a member of the Committee to consider the question. In the first place I would like to say that the matter of professional ethics more or less suggested itself to me, as a Rotarian; as a Rotarian we have a code of ethics. Every member of the Rotary Club has to keep the code hanging on his walls. To a certain extent, if a man is conscientious, he more or less tries to follow that code. That code is laid down on a broad business basis. That is all I was trying to suggest this morning; that was largely behind my thoughts. After all,

one has to appeal to the finer points in human nature, and that is one way I think you might do it. I would suggest also—of course, the matter now is closed—when the Central Council deals with this matter, that they definitely make up their minds that a code should be drawn up and circularised to every member of the profession throughout the various provinces. If they think it necessary also, perhaps a copy of that code might be sent to the secretary of every M.B.A. In concluding I would just like to say this: when I went to collect my paper from the typist on Saturday morning—the person who does my typing is the wife of an old builder in Pretoria, and it appears that she got him to make the corrections; and when I got my paper handed over to me, he said, "You have done a very brave thing. You will probably get a lot of obstruction, but it is all very true."

THE VENTILATION OF DRAINS.

By J. PINKER.

In introducing for discussion "Ventilation of Drains," I do not speak with an extensive experience of drainage in South Africa.

From what I have seen of the drainage bye-laws of this country, they are framed on general lines on the drainage laws in the Public Health Act in the Old Country.

I complain of the interpretation and enforcement of the drainage bye-laws relative to ventilation.

The intercepting trap from the main drain is not always put in, and the ventilation of the main drain in these cases comes through the house drainage vents.

It is a common practice for the ventilation shaft on dwelling houses to be carried only three feet above the eaves.

I think this is insufficient, sewer gas being so much heavier than air and certainly often finds its way in to the upper part of the house.

I know a large dormitory room which was used as a bedroom for years, and because it was found that those sleeping there so often became sick, the use of the room was discontinued. The roof over this room was covered with old open tiles, and the ceiling to the room was of common matchboarding with its usual imperfect joints.

The drain ventilation pipe with no intercepting trap had for years been causing trouble. I remember Walter Stokes telling me thirty years ago of his being called to Brighton to endeavour to trace the cause of typhoid fever cases in a large residence where one of the attic bedrooms was used as a servants' bedroom.

It was after two servants had died and the third one was down with fever that Mr. Stokes followed a local unsuccessful architect in discovering the cause of the fever. He found the ventilation pipe carried up to just above a cluster of chimney pots and the nearest chimney to the ventilation pipe was a short one leading to the servants' bedroom.

I knew a case where a smoke test was taken and a ventilation pipe was taken to about a foot above a chimney and close to the side of it. The smoke made a perfect curve down the chimney filling the room below. We may say it is always the custom to put the ventilation pipes just above the eaves but we may not realise that it is only sometimes and even rarely that the conditions are just right to bring about serious trouble.

Sewer gas doubtless under some conditions creeps like a serpent.

I remember as long ago as 1880 at Hove, Brighton, there was a dreadful epidemic of a severe kind of small-pox which caused the death of hundreds of people. My father had cottage property in a street called Cowper Street, not far from what was then called Cliftonville Station, afterwards Hove. The property I refer to was built in terrace form right on the street, half the basements being underground, which was a common mode of building cheap workmen's cottages in those days in a town where ground was valuable. In the centre of the road was an open grating on to the main drain, which was then the common form of main drain ventilation. Needless to say, the people in the cottages suffered seriously. In one house every occupant died.

The practice in this country of putting baths and lavatory basins on inner walls is I think a really bad one, where the wastes are carried to drains and then connected to the upper part of a trap which is sealed below the ground surface. The long waste pipes in themselves being sufficient to taint a room if by chance the basin or bath is not used for a time, and the water evaporates from the trap, which it so quickly does in this country. A bath trap is only formed by about three or four table-spoonsful of water. With the pipes corroded with soap and hair, how easily is the pressure of air upwards (which might even be caused by the sun shining on the pipes) sufficient to cause air to escape through so little water.

I was recently asked to inspect some drainage at an institution and the wastes from the lavatory basins and baths were carried the width of a room and a five foot verandah causeway and down under the ground into a super hopper. Of course there was always trouble. The stoppages meant periodical visits of the plumber.

The worst feature was that there were always children ill; sickness in these premises. The Reverend Mother in charge told me that the rooms became tainted if shut up for ever so little a time. Children would come back from their holidays and get measles, mumps and other diseases that give them ill-health, which they are supposed to bring back to school, but the trouble is, the place had remained unused and had become a sewer chamber.

If there is no contagion in the main drain then there is nothing really bad in these buildings. The conditions only have to be right and there is trouble. I would like to know why we cannot empty our baths on to a stack-head immediately through the wall and the pipe from the stack-head to discharge eighteen inches from a yard gully as is usual at Home. Of course, most of my wailings concern those of us from the country.

Discussion on Mr. Pinker's Paper.

Mr. HAROLD PORTER: There are several interesting points raised by Mr. Pinker in connection with drainage, which I think have been thoroughly tackled by the more progressive Municipalities, and I think most of the objections that he raises have been success-

fully overcome. To mention one point he talks about, the interceptor trap being omitted and the main drain being eventually through the house drainage: a very comprehensive report was prepared in connection with intercepting traps about seven or eight years ago in England, where it was found that over seventy-five per cent. of the intercepting traps were blocked. And in response to that very illuminating report, most of the Municipalities of the world have now eliminated the intercepting trap. They find that if the main drain is continually ventilated by every house connection, it is far more beneficial to the health of the community than independent or fewer vent pipes which are put in by the Municipalities themselves. You find that instead of having only five or six ventilators, or perhaps one ventilator at the end of each section, that particular street would have at least a dozen, and the drain thereby becomes sweeter, and there is less chance of sewer gas collecting. There are many other points, but I think that particular point of interceptors is worth noting.

Mr. PINKER: May I reply in regard to the intercepting trap? There is a trap in the market to overcome that difficulty; it has a drop of some four inches. The drop clears the trap and keeps it free.

Mr. R. H. JONES: With regard to Capetown, in the whole of the southern suburbs they don't have intercepting traps at all. I believe the intercepting trap was used to prevent rats getting up from the sewer, but they get up just the same.

Mr. PINKER: The London County Council in their by-laws have always insisted—I am speaking now of thirty-five years ago—that the house side of the intercepting trap has an open hearth.

Col. HURST: One little interesting point. The reader of the paper mentioned that people had suffered from typhoid fever from breathing in bad air from sewerage. Is he aware of the fact that typhoid fever is not caused by inspiration but by ingestion? It must be taken through the mouth.

Mr. PINKER: Typhus; these people died, and it was called fever.

THE VICE-PRESIDENT. I am sure you will all thank Mr. Pinker for his paper, gentlemen.

ARCHITECTURAL COMPETITIONS.

THE VICE-PRESIDENT: The next item, gentlemen, is one that does not bear the name of anybody as introducing it to the Congress. I think I may as well do it on behalf of the Central Council. The history of this is that at the Central Council meeting some time in August last, a Sub-committee consisting of Mr. Masey and myself was asked to go through competition conditions and draft such as would be suitable for adoption by the Institute in South Africa and binding on all architectural competitions promoted. Our draft was generally accepted by the Central

Council and was circulated among the Provincial Institutes with the request for any comments or notes thereon. I think all the Provincial Councils just accepted the draft, with the exception of the Cape Provincial Institute, which requested a Sub-committee consisting of three of us there to go through it, more with the object of polishing it than anything else. At least, that is pretty well all we did to it. With your permission I will just read you these competition conditions. I think it ought to prove quite an interesting field for discussion.

REGULATIONS GOVERNING THE PROMOTION AND CONDUCT OF ARCHITECTURAL COMPETITIONS

As laid down by the Institute of South African Architects in accordance with the Architects' and Quantity Surveyors Private Act No. 18 of 1927, and the Regulations thereunder.

It is assumed that the object of Promoters of architectural competitions is to obtain the best design for the purpose in view, and these Regulations have been framed with the object of securing the best results to the promoter with scrupulous fairness to the competitors.

Members of the Institute of S.A. Architects are not permitted to compete except under conditions based on these Regulations.

Competitions may be conducted in one of the following ways :

- (a) By advertisement, inviting architects willing to compete for the intended work to send in designs. *For competitions for Public Works, this method is recommended.*
- (b) By advertisement, inviting architects willing to compete for the intended work to send in their names by a given day, with such other information as they may think likely to advance their claim to be admitted to the competition. From these names the promoters, with the advice of the assessors, shall select a limited number to compete, and each competitor thus selected shall receive a specified sum for the preparation of his design.
- (c) By personal invitation to a limited number of selected architects to join in a competition for the intended work. Each competitor shall receive a specified sum for the preparation of his design.

NOTE: Where a deposit is required for supplying the instructions it shall be returned at the conclusion of the exhibition to those who have submitted a *bona fide* design, or immediately if the applicant declines to compete and returns the said instructions before the date for submitting designs.

The promoters of an intended competition should, as their first step, appoint one or more professional assessors, architects of acknowledged standing, whose appointment should be published in the original advertisements and instructions. The selection of an assessor or of two or more assessors to act as a jury (for competitions involving an expenditure of over £50,000. a jury of three assessors is recommended) should be made with the greatest possible care, as the successful result of the competition will depend very largely upon their experience and ability.

The President-in-Chief of the Institute of S.A. Architects is always prepared to act as honorary adviser to promoters in their appointment of assessors.

The duties of assessors are as follows :

- (a) To confer with and advise the promoters on their requirements and on the questions of cost and premiums to be offered.
- (b) To draw up instructions for the guidance of competitors and for the conduct of the competition, incorporating the whole of the clauses of these Regulations which are applicable to the particular competition.

NOTE: It is essential in drawing up the instructions to state definitely which of the conditions must be strictly adhered to, under penalty of disqualification from the competition, and which of them are optional. Binding conditions should be reduced to a minimum. Instructions to competitors should as far as possible take the form of suggestions, which both they and the assessors may follow as they deem fit.

- (c) To answer queries raised by competitors within a limited time during the preparation of the designs, such answers to be sent to all competitors.
- (d) To examine all designs submitted by competitors and to determine whether they conform to the conditions and to exclude any which do not.
- (e) To report to the promoters on the designs not so excluded and to award the premiums in strict accordance with the conditions.
- (f) To advise the promoters if modifications should be made in the winning design by the successful architect, if desired by the promoters.

For assessing plans of an architectural competition an assessor shall be entitled to charge thirty guineas, plus one-fifth per cent. upon the estimated cost of the proposed buildings, in addition to travelling and out-of-pocket expenses. In the case of a jury each member thereof shall receive the above fee less the thirty guineas.

The conditions of a competition shall contain the following clauses, Nos. 1 to 16, as essential :

1. The nomination of an assessor or assessors, who shall be architects of acknowledged standing, to whom all the designs sent in shall be submitted.

The assessor's or assessors' award shall be final and binding on both promoters and competitors and shall not be varied except as provided for in Clause 5.

2. All designs shall be accompanied by declarations enclosed in sealed envelopes and signed by competitors stating that the designs are their own personal work; that the drawings have been prepared under their personal supervision; and that they are Registered Practising Architects under Act No. 18 of 1927, or eligible as such, and stating their statutory qualifications. Successful competitors must be prepared to satisfy assessors that they are the *bona fide* authors of the designs they have submitted.

3. No name, motto, handwriting, signature, device or distinguishing mark of any kind whatsoever, which might lead to the identification of the competitor, is to be put on any of the drawings, supporting documents, sealed envelope, or case, by the competitors or their agents. When each case is unpacked it and its contents, together with the sealed envelope, will be marked by the assessor for identification.

4. No promoter of a competition nor assessor engaged upon it nor any employee of either nor any public servant shall compete or assist a competitor, or act as architect or joint architect for the proposed work.

5. A sum equal to the value of $1\frac{1}{2}$ per cent. of the amount proposed to be expended on the work shall be available for payment, at the discretion of assessors, to unsuccessful competitors.

6. The author of the design placed first by the assessor shall be employed to carry out the work unless the assessor shall be satisfied that there is some valid objection to such employment, in which eventuality he may be called upon at the discretion of the assessor to appoint at his own expense a competent person to be either nominated or approved of by the Assessor with whom he shall work in collaboration.

Should this condition not be satisfied, the author of the design placed next in order of merit shall be employed, subject to a similar condition.

7. If no instructions are given to the author of the design selected by the Assessor to proceed within twelve months from the date of the award, then he shall receive payment for his services in connection with the preparation of the competition drawings of a sum equal to $1\frac{1}{2}$ per cent. on the amount of the estimated cost stated in the conditions up to £50,000; but if the estimated cost of the work exceeds £50,000, he shall be paid a sum equal to $1\frac{1}{2}$ per cent. upon the first £50,000, plus $\frac{1}{2}$ per cent. upon any sum in excess of that amount. If the work is subsequently proceeded with, this sum shall form part of his ultimate commission.

8. The selected architect having been appointed to carry out the work, shall be paid in accordance with the Scale of Charges of the Institute of South African Architects.

9. A design shall be excluded from a competition:

- (a) If sent in after the period named (accidents in transit excepted).
- (b) If it does not give substantially the accommodation asked for.
- (c) If it exceeds the limits of site as shown on the plan issued by the promoters, the figured dimensions on which shall be adhered to.
- (d) If the assessors shall determine that its probable cost will exceed by 10 per cent. the outlay stated in the instructions or the estimate of the competitor should no outlay be stated.
- (e) If any of the conditions or instructions other than those of a suggestive character are disregarded.
- (f) If a competitor shall disclose his identity or attempt to influence the decision of the assessor.

10. All designs and reports submitted in competition, except any excluded under Clause 9, shall be publicly exhibited, with the consent of the competitors, together with a copy of the assessors' award. Due notice shall be given to all competitors of the date and place of such exhibition. All competitors shall be furnished with a copy of the assessor's award.

The promoters shall agree to the publication of the winning design, subject to the competitor's consent, and the assessor's report, in the official Journal of the Institute of South African Architects.

11. All drawings submitted in a competition, except those of the design selected to be carried out, shall be returned carriage paid to the competitors within fourteen days of the closing of the exhibition.

12. The promoters undertake as far as they are concerned, to observe, without infringement, the artistic copyright of all designs submitted, and will guarantee not to make a practical use of any design, or permit copies of photographs thereof to be taken, without the agreement of the author.

13. The promoters shall state the amount they are prepared to expend on the building, including drainage, heating, elevators, lighting and ventilation; but excluding furnishing (either fixed or moveable), architects' and quantity surveyors' charges and clerk of works' salary.

14. The number, scale and method of finishing of the required drawings shall be distinctly set forth. The drawings shall not be more in number or to a larger scale than necessary clearly to explain the design, and such drawings shall be uniform in size, number, mode of colouring and mounting. As a general rule a scale of 16 feet to one inch will be found sufficient for plans, sections and elevations, or, in the case of very large buildings a smaller scale might suffice.

Unless the assessors advise that perspective drawings are desirable, they shall not be admitted.

No drawings other than those called for in the conditions shall be admitted.

Each design shall be accompanied by a general description and statement giving such details as the assessor shall require in connection with construction, materials, systems of heating, lighting and ventilation, cubic contents, etc., for the purpose of arriving at an estimate of the cost of the proposed buildings.

15. In the event of the estimated cost of the building, based on the lowest acceptable tender, being higher than the amount allocated by the promoters previous to the calling for tenders, the promoters may call upon the architect to make such modifications in his design as may be necessary to reduce the cost. The architect shall provide all requisite drawings and specifications of such modification and shall receive no further remuneration in respect of this extra work.

16. The conditions of a competition issued by a corporate body shall have the common seal of that body affixed thereto.

The following extracts from the Regulations under the Architects' and Quantity Surveyors' (Private) Act No. 18 of 1927, are quoted as a guidance to promoters, assessors and competing architects:

Regulation 89: Unprofessional conduct on the part or an architect shall include *inter alia*:

- (a) To take part in any competition, the conditions of which are to his knowledge disapproved of by the Council.
- (b) To attempt in any way to secure work for which a competition has been instituted, except as competitor and in accordance with the conditions of that competition, until the conditions of the competition have ceased to be operative.
- (c) To attempt to influence unfairly or dishonourably, whether directly or indirectly, the award in a competition.
- (d) To do the work, or any part thereof, for which a competition has been instituted, if he or his partner has acted as assessor or adjudicator.

THE VICE-PRESIDENT: Before submitting this to general discussion, Gentlemen, I would like to inform you that careful consideration was given to competition conditions that had been in force up to this time in South Africa and to the Royal Institute regulations in this matter; the two of them were carefully combed through combined, and in one or two respects were modified, and one or two points added.

Mr. HAROLD PORTER: May I ask, do these include the polishing that you referred to from the Cape Institute?

THE VICE-PRESIDENT: Yes.

Mr. HAROLD PORTER: There is one clause I would just like to refer to, on page 2 (e): "To report to the promoters on the designs not so excluded and to award

the premiums in strict accordance with the conditions." Do I understand that there is any loophole for the assessor in not submitting a full report on the competition which should be circulated to the competitors? It says here "report to the promoters." I would like that altered to read that "A full report should be published to the competitors."

THE VICE-PRESIDENT: That is provided for.

Mr. HAROLD PORTER: Members may remember that a certain case did occur where the assessor produced no report. I think it is only common courtesy to the competitors that they should see some sort of report, and I don't think that report was ever forthcoming.

Mr. N. T. COWIN: I am quite prepared to support Mr. Porter in that. We have had some queer competitions recently; it has been difficult to find out on what grounds the assessor made the award. We might see some light if we got a report from him. There are one or two other matters I should like to touch upon. The question of fees for assessing I think, if we are anxious to promote competitions and assist in the event of there being several claimants for a particular piece of work, and to try and induce promoters to come forward with a competition, it seems to me that for small work a charge of thirty guineas is excessive. For anything up to £4,000, I think to charge thirty guineas for assessing is altogether out of reason. I suggest that for work up to £4,000, the assessor's fee be twenty guineas, and then the scale of thirty guineas, plus one-fifth per cent. starts from there. In my experience I have found that this large fee has been a disability in inducing promoters to come forward with a competition. And then I see nothing here about this evidently satisfactory suggestion of the Greek vote. If we are going to put forward a new set of conditions, I can see no reason why that should not be embodied in them. Now is the time to do it. As I say, it has been difficult sometimes to fathom the mind of the assessor in some of these competitions. I think it is time that we took the matter in our own hands, those of the competitors, those who are competing, and give this system a fair trial. I propose that this suggestion be taken back by the Central Council for consideration. Then there is another point on page four, at the top: "a competent person." Surely it must be "a competent architect"?

Mr. POWERS: In the case of a Union competition I rather see a difficulty in getting all the competitors together to use the Greek voting method.

Mr. L. NORMAN: We all know there is always a certain amount of dissatisfaction arising out of every competition; sometimes against the assessor, or someone else. We all know the colossal amount of work involved in competitions. I think a lot of dissatisfaction would be avoided by having two assessors appointed, even though it means a certain amount of sacrifice in the way of fees between the two gentlemen who are selected.

A MEMBER: What happens if they disagree?

Mr. McWILLIAMS: I must confess that after hearing your remarks this morning, Mr. Vice-President, I expected that, as you appear to have something to do with the drawing up of this, some mention would have been made of that Greek system. I notice our Vice-President smiled when the Greek system was mentioned, but I can assure him that I consider it far from a joke. I cannot recall ever hearing of an instance where a competition had given satisfaction to the competitors; I don't think I can recall a single instance. And it passes my comprehension how anybody can assume that, if a man is good enough to assess the work, that he is not good enough to plan it out in the first instance, and therefore why call for a competition at all and waste all the money and all the energy of other architects? I consider, as I said this morning, that there is nobody more capable of estimating the value of a scheme that is put forward than the persons who themselves have competed, who spend their time and their energy and their serious consideration in evolving the plans and the scheme generally. I have looked at many a competition—I must confess I don't often enter; but I have looked at the designs, and I have been quite lost. I see the whole lot, and I think to myself, "Now, which would I place first?" I think an assessor must be in the same position; he sees so many things before him, he sees so many different ways, that he cannot possibly be better off than the accumulated knowledge of all the competitors themselves in regard to his capacity for judgment. And I submit, in fact I would like to move, that this go back to the Central Council with a recommendation from this Conference that the matter of assessors be abolished, and that the judgment in competitions under the auspices of this Institute should be assessed by the Greek system, as it is named.

THE VICE-PRESIDENT: May I ask Mr. McWilliams to withhold his motion for the time being, until I have had an opportunity to reply to one or two comments?

Mr. McWILLIAMS: Certainly.

Mr. W. S. PAYNE: I was going to second Mr. McWilliams' proposition, but if he is going to hold it over, I will wait.

Mr. R. H. JONES: Do I understand that here you only require to put in a general statement with regard to the building material and one thing and another? Because it seems to me a thorough waste of labour.

Mr. T. G. ELLIS: If you refer to page five, No. 13: it states here definitely that the promoters shall state the amount they are prepared to expend. This question of cost is always the bug-bear to most competitors. I believe at one time they had the system in France never to mention cost: the question of cost was gone into after the competition. The schemes were simply adjudicated on their merits, and then the winning scheme, I believe, if it was too expensive, the successful competitor was asked to reduce his scheme to meet the cost. That is a point I think that might be considered on the question of cost, whether it is advisable to make it compulsory, or whether it might not be optional.

Mr. McWILLIAMS: Isn't it possible in regard to the cost of the building, that some covering clause might be put in to say that in the event of the competition having been won by one of the competitors, and the work is put in his hands to carry out, and it is found that it unreasonably exceeds the cost, that the promoter should have the right to take the matter up again and accept the design placed next? That would be a deterrent to any competitor simply letting himself go in his design and having it out of all proportion to the cost—a thing that very often happens.

Mr. L. NORMAN: Am I permitted to make a remark on this Greek voting system?

THE VICE-PRESIDENT: Yes.

Mr. NORMAN: In view of the remarks of Mr. McWilliams, after all no-one is better able to decide on the scheme than the man who has spent a month or two, or three, evolving it. Mr. Powers, I think, mentioned it is impracticable in a country like South Africa especially, and I have been thinking, would it not be perhaps practicable for each competitor to send in a copy, and these copies to be distributed to the different centres? For instance, to Johannesburg for a week, to Capetown for a week. There might be a man from Paarl, it is true, but he could send it to Capetown. I think there is nothing fairer than that, and it would obtain better results. I am mentioning that as a way out of this difficulty.

THE VICE-PRESIDENT: I think I had better just run through the points that have been raised, and then I think we will hear Mr. McWilliams on his resolution. Mr. Porter raised a point in regard to clause (e) on page two, in the matter of the assessor's report. If you don't think that is sufficiently covered by the publication of the report on page five, at the end of clause ten, "The promoters shall agree to the publication of the winning design, subject to the competitor's consent, and the assessor's report in the official Journal of the Institute of South African Architects," then I should like Mr. Porter to move a resolution later on. Mr. Cowin raised the matter of assessors' fees on say a £4,000 competition. It was generally considered that competitions for such a small job as £4,000, should not be held. And Mr. Cowin raised the point that there might be several claims to a job, and the building owner might decide to hold a small competition; it would take the form of a small limited competition.

Mr. COWIN: It frequently occurs.

THE VICE-PRESIDENT: Under these circumstances I think the fee of thirty guineas might well be reduced. And I don't know whether I understood Mr. Cowin aright or not: was that to be without the one-fifth per cent.?

Mr. COWIN: Yes, without the one-fifth. It should be twenty guineas inclusive.

THE VICE-PRESIDENT: I would like a resolution later on on that point from Mr. Cowin. Now, I come to the Greek vote. Somebody accused me of smiling. I did, because I had visions of an awful jumble in some of the conditions. The Greek vote,

gentlemen, cannot be worked too easily, because, for one thing, it does not dispose of the assessor. You must still have your assessor to draw up your conditions. The only thing you rob him of is the actual assessing of the designs when they come in. He must lay down the conditions and regulations of the competition, and then certainly the jury can proceed on the Greek vote principle. Now, one or two of the others, I think Mr. Norman as well, have touched upon the scattered nature of the competitors in a country like this, and it would certainly be rather difficult to assess. I can quite imagine, in a large competition, with the drawings being reproduced and sent round to the different centres, it would involve quite a lot of, call it organising, and a considerable amount of thought before you could legislate for it in these conditions. On the matter of cost and the Greek voting system, you have to consider the checking up of each of the competitors' figures, because if you are going to have every competitor checking up everybody else's figures, it would take more than a couple of months really to satisfy yourself as to who had really won the competition. Although you might consider one design to be quite head and shoulders above the others, it might be entirely ruled out on the subject of cost.

Mr. HAROLD PORTER: The assessor could do that.

THE VICE-PRESIDENT: You would have to depend again upon your assessor to check up the figures and everything that was sent in. The association of "a competent person" with the winner, at the top of page four: I think Mr. Cowin may wish to embody that in a little resolution he may be putting up later. Mr. Norman suggests the advisability of two assessors. In these conditions I think you will find a note providing for one or more assessors: "For competitions involving an expenditure of over £50,000, a jury of three assessors is recommended." It was thought that a jury of two assessors was not a very satisfactory arrangement; either have one or three. I think that was fairly well covered there. Mr. Porter wanted some information on the premium clause: if you will refer to page three, section five, "A sum equal to the value of $1\frac{1}{2}$ per cent. of the amount proposed to be expended on the work shall be available for payment, at the discretion of the assessors, to unsuccessful competitors." The idea underlying that clause was that the winner of the competition should not receive a premium at all, his prize being the job, and that it should be in the discretion of the assessor to distribute an amount equal to $1\frac{1}{2}$ per cent. between the unsuccessful competitors. He may be of the opinion that the two next men are equal, or the three next men are equal; therefore he should be at liberty to distribute the $1\frac{1}{2}$ per cent. equally between three or more competitors; or, if he was of the opinion that there was a distinct placing in it, he should be able to mark his opinion of the merits of the designs by modifying the amounts of the various premiums awarded. Mr. Jones drew attention to the statement that had to accompany the design. A statement is generally called for in rough outline as to the methods of construction, ventilating and heating; and I don't think the man who writes a complete specification for a competition has ever done himself any good. Generally, the assessor's opinion is, "Why does

he want to bore me with all this?" I don't remember any competition that called for an excessive amount of information in the way of the statement. Mr. Ellis raised the point of the amount to be spent on the buildings, and queried whether it was optional. There are not many cases where the promoters of a competition are willing to spend an unlimited amount, and unless you give competitors some guide of the approximate cost, you are liable to receive such varied solutions of the problem, some involving expenditure that no man would look at, that you are liable to defeat the real object of the competition. I think, with the exception of rare cases, it is as well to give some guide as to the proposed cost. It is a distinct advantage to all competitors. Of course, with regard to any remarks I may now make, the discussion is still open on the matter, and you can pursue them. In some cases, of course, an optional amount there would be quite reasonable, but I submit in most cases you want to give some indication of cost. Mr. McWilliams drew attention to the ultimate cost of the winning design exceeding the amount available. If you will look at clause 15—does that not cover it? "In the event of the estimated cost of the building, based on the lowest acceptable tender, being higher than the amount allocated by the promoters previous to the calling for tenders, the promoters may call upon the Architect to make such modifications in his design as may be necessary to reduce the cost. The Architect shall provide all requisite drawings and specifications of such modification and shall receive no further remuneration in respect of this extra work."

Mr. McWILLIAMS: I accept that.

THE VICE-PRESIDENT: I shall be pleased to hear further views on the matter.

Mr. POWERS: With regard to the cost of the work—I don't mean the sum allocated by the promoters, but the estimated cost by the competitors themselves—would it not be better rather than to give an estimated cost that the competitors themselves give the cubic measurement. Let the assessor judge the cost. In competitions competitors submit a most extraordinary cost per cubic foot. I think I might say it is the regular practice to make the punishment fit the crime. It would be much clearer and much better, in my opinion, if there were no cost given by the competitors; they should have to work to a cost, certainly, and then give their cubing, and then let the assessor, with his knowledge of cost in that particular district, ascertain and arrive at some sort of estimate. There have been so many cases where it has been rather apparent, from the nature of the design submitted, that the estimate of the cost has been a deciding factor. You find with a building intended to cost forty or fifty thousand, that the lowest tender is seventy thousand. And under those circumstances I think the assessor would be sometimes misled. I think that might be taken into consideration by the Committee, that the competitors themselves be not asked to cost a bill, but give the cubical contents and let the assessors themselves arrive at some sort of solution.

THE VICE-PRESIDENT: If you look at the bottom of page five, you find the clause reads, "Each design shall be accompanied by a general description and statement giving such details as the assessor shall re-

*quire in connection with construction, materials, systems of heating, lighting and ventilation, cubic contents, etc., for the purpose of arriving at an estimate of the cost of the proposed buildings." That was actually in the minds of the Drafting Committee at the time they drafted that clause. We felt we could not actually bind the assessor, but he could call for such particulars as he required for the purpose of arriving at the cost. Personally I am quite in accord with Mr. Powers on that, and I think it is simply absurd to ask competitors to submit their cubic cost. The assessor ought to know that.

Mr. POWERS: May I refer to that once again? I remember some years ago a very important competition at the Cape, where the assessor had doubts as to whether a certain design could be carried out, and he really disqualified that design. But the promoters of the competition said, "Mr. So-and-so, the author of this design is a competent Architect. Surely he ought to know what his design would cost, and we ought to give him an opportunity of calling for tenders." The assessor in the first instance thought it could not be done for the money, but the promoters overruled him. If the estimate were entirely eliminated in every instance it would avoid such cases.

THE VICE-PRESIDENT: Do I take it you mean the assessor ought to be entitled to disqualify a man's design if his opinion is that it cannot be done for the money?

Mr. POWERS: The competitor should give no estimated cost whatever: give the cubings, and the actual cubings only.

THE VICE-PRESIDENT: He is asked to give certain details to the assessor for the purpose of arriving at an estimate of the cost by the assessor.

Mr. POWERS: Then I understand it is not the intention that the competitor should put in the price?

THE VICE-PRESIDENT: If the assessor liked to have the cubic contents put up to him, without any price, he was the judge as to what price per cubic foot ought to go on that.

Mr. POWERS: Thank you. I misunderstood the clause.

Mr. HAROLD PORTER: Take, for instance, a very elaborate vestibule or entrance hall, a foyer; one man in his original design shows a very elaborate form of ceiling. The assessor has visualised that design in his mind. He says, "That is topping," and he places a good many points in its favour on account of that particular treatment of that feature. When it comes to carrying out the design, the hall has already been built, the competitor has got the job—he is often asked to prepare working drawings—and he realises that he cannot put those features in. He thereupon sets about and reduces his design, and the building that is carried out is then a caricature of his original design.

Mr. POWERS: A modification.

Mr. HAROLD PORTER: A modification of it.

THE VICE-PRESIDENT: I would suggest, if you approve, we carry on our discussion for a few minutes later, and to-morrow morning, if you have your resolutions written it will save time.

Mr. COWIN: Might I suggest that we take the resolutions now?

AGREED.

Mr. McWILLIAMS: I have not really heard any valid objections to the Greek scheme; the only objections of any consequence at all were those based on the widespread character of South Africa. But I do not see that that is any obstacle. I take it, if it is a competition of any importance at all, it is worth a man's while to put in a railway journey to record his vote. If I personally competed for anything in Johannesburg, although I live in Port Elizabeth, whether it was the Greek vote or not, I should think it worth while to come up here to see what did happen. I think if a competition was inaugurated say in Durban, or Port Elizabeth, or Capetown, for an important building, that Architects in Johannesburg competing would naturally be quite prepared to go to the headquarters where the competition was promoted. There is never an instance of a competition of any significance in one of the dorps; the best thing they can offer us is a town hall. Usually the Councils in such places are well enough off to select their own Architects. I cannot see that there is any objection at all. I quite agree that the assessor might be asked to receive the designs, or the assessors mark them so that the authors' name is a rigid secret, just as he would if he were going to assess them himself, examine the drawings, check the cubic measurements, and array them in a certain room or hall where they may all be inspected by the competitors themselves. And on a certain date they would be ready and competitors advised that they could come and vote. Well, a couple of days might be allowed for it, and I think the competitors themselves, when they look at the designs, will be just as capable, as a body, of judging the value of any one of the designs as any assessor, or assessors, individually could. For that reason I feel we ought to break down the precedents in this matter, even the precedents before us from the Royal Institute, and do what we feel should be perfectly just. As our President said on Monday night, "Anything that is just is right," something to that effect. I entirely agree with it. I am quite certain in my own mind, that if the judgment takes place on those lines, we will eliminate a good deal of the ill-feeling, because there will be nobody saying, "Somebody judged a competition exactly on his own fad." Very often a lot of the competitors, and this is the most important point of the whole thing, are at a disadvantage because they do not know the assessors' type of work or what they are inclined to favour. And we all know that in nearly every case where an important assessor has been called in, certain of the competitors are aware of the type and character of the work to which he is inclined; and the other competitors are entirely at a disadvantage. I very hopefully put forward this resolution: That it be a recommendation to the Central Council to consider seriously the question of assessment by the Greek vote. And we trust the Council are wise enough to see the pros and cons of the thing and arrange it so as to meet the objections that have been raised.

Mr. W. S. PAYNE: I was going to second this earlier in the afternoon, but if I may, I would like to do so now. I would also like, in supporting it, to suggest the possibility of the designs being forwarded to the main centres of the Union: Capetown, Johannesburg, Durban and Port Elizabeth, we'll say, where the various competitors could see the drawings and give their vote on the Greek system. At the same time I would like, if I may, to draw attention to another matter while we are dealing with conditions of competitions. We usually have one of the conditions that the drawings are to be finished in ink. I would like to suggest the possibility of including a recommendation in the conditions to the effect that where possible, or where there is no insuperable objection, that it would be sufficient for the purpose of the competition if the drawings were finished in pencil. It would save an enormous amount of time, when you multiply it by twenty competitors, and think of the undue repetition of labour. It would be quite sufficient, you could indicate quite sufficient, in pencil, whether on the Greek system or any other system, to illustrate your ideas in the matter. I would like to suggest that that proviso be included in the conditions of competitions.

Mr. McWILLIAMS: We are taking now only my resolution, because in connection with the general matter I have a remark to make.

Mr. POWERS: It does seem to me in important conditions that the competitors start out on certain lines which, when the competition is being judged, are totally unacceptable to the assessor or the promoters. They have been on the wrong lines from the start. In the case of important competitions, could there not be some sort of preliminary? In an important competition, for a town hall for a large city, for instance, the assessor has one idea and competitors have another idea. They put in an enormous amount of time when from the very start they have not a ghost of a chance; whereas if it were a preliminary, their ideas could be put down in block form, and if those ideas are acceptable a certain number could be selected for the final competition. I remember years ago, I think it was the Transvaal Technical College building, a number of designs, twenty-five or thirty, were sent in. The morning paper in those days in Johannesburg was known as the "Leader," and in a survey of the drawings the editor remarked the word "waste" might very well be written over the room in which those drawings were exhibited. Those competitors were on the wrong track. An assessor was brought out from the Old Country—I believe it was Corlette—who had his own ideas; and there were some very excellent designs, which were not in accordance with his ideas.

THE VICE-PRESIDENT: I really ought to have ruled Mr. Payne and Mr. Powers out of order for the time being, because we were discussing Mr. McWilliams' proposition.

On being put to the vote, the proposition, "That it be a recommendation to the Central Council to consider seriously the question of assessment by the Greek vote," was carried unanimously.

Mr. HAROLD PORTER: I move that on page two, "The duties of assessors are as follows," be changed to "shall be." And in clause (e), to insert "To issue a written report to the promoters."

THE VICE-PRESIDENT: Might I suggest, unless something is really of vital importance, that I don't think the Congress wants to worry about dotting the i's and crossing the t's.

Mr. HAROLD PORTER: That make it compulsory on the assessor to issue a written report.

Mr. SINCLAIR: I second that.

On being put to the vote, Mr. Porter's proposition was carried unanimously.

Mr. N. T. COWIN: Could I put two resolutions? I think that will complete the discussion and close this matter. The one is an amendment to the scale of charges: "For assessing plans of an architectural competition an assessor shall be entitled to charge, for work up to £4,000 in value, twenty guineas, and for work of a greater value, thirty guineas."

Mr. T. G. ELLIS seconded.

Carried unanimously.

Mr. COWIN: The other proposition is to alter the wording of Clause 6: "To appoint at his own expense a competent Architect and not the assessor." It is quite possible for the assessor to nominate himself.

THE VICE-PRESIDENT: That is excluded under the regulations.

Mr. CROSS: I second that proposition.

Carried unanimously.

Mr. McWILLIAMS: I do feel that the conditions are hardly satisfactory in regard to the matter of perspectives. I saw a very magnificent exhibition of a competition for "St. Paul's Without the Walls," at Rome, when I was there some years ago. It was evidently an open international competition, and every one of the designs was illustrated with numerous perspectives, and they were exhibited in the cloisters of that Church. I think it is very unfair that a man who is capable of setting forth his ideas, which are put in scale drawing form, should not be able to put in little pieces of perspective to illustrate any part of his design which he may consider to be a special feature. It may be optional. I don't like the way in which the condition reads. I would like to move that one of the clauses of the conditions, in regard to the drawings to be submitted, should specify that they should be in pencil, as one gentleman suggested, and that it be optional, not necessarily finished in ink. I think the members judging a set of designs are quite as capable of judging them in pencil as in ink. I would like to suggest, too, that the conditions make it optional for any competitor to put in what perspectives he wishes, in order to illustrate his design.

THE VICE-PRESIDENT: In view of the hour, gentlemen, I think that had better be held over until to-morrow.

In the evening the Delegates were entertained by the Mayor, Mayoress, and Councillors of the City of Johannesburg, at a Social and Cabaret in the Selborne Hall, to which the Master Builders were also invited. The four or five hundred guests spent a most enjoyable evening and thoroughly appreciated the City's hospitality.

AT THE UNIVERSITY OF THE WITWATERSRAND.

THIRD DAY, WEDNESDAY, DECEMBER 5th, 1928,



PORTICO, UNIVERSITY OF THE WITWATERSRAND.

Photo by Brittain.

THE PRESIDENT-IN-CHIEF: Ladies and Gentlemen: I wish to introduce to you this morning, Mr. Raikes, the Principal of our Witwatersrand University. Mr. Raikes has kindly permitted us to use this room for the purpose of our deliberations to-day and to-morrow. But I introduce Mr. Raikes to you more particularly because of his sympathetic attitude towards our Chair of Architecture in this University. And I feel sure you will agree, from what you have already seen of the work of the students in the adjoining room, that this Chair of Architecture must be maintained at a very high standard indeed for such work to be produced. Our thanks are due to Mr. Raikes, and I feel sure that, if you wish to make any

suggestions in regard to the Chair of Architecture here, they will receive his careful consideration.

Mr. H. R. RAIKES: Mr. President, Ladies and Gentlemen: I am very glad to welcome you all here to-day. I am only too pleased to place our halls at the disposal of conferences that are really worth while. We used to have some conferences in Oxford that were not altogether worth while; I remember one which I had to attend, the Master Grocers' Association, I think it was. But all these associations of learned and professional bodies can, I feel sure, look on the University as a place where they can always find a home for conferences and meetings. We cannot, of course, do it in

term time, gentlemen, but always during the vacation. We are very proud of our School of Architecture here, because it has recently been recognised by the Royal Institute of British Architects; and it has been given a recognition which was refused at the same meeting, I believe, to the University of Cambridge. Of course, I come from Oxford! At Oxford we don't go in for a School of Architecture; I am afraid we haven't built anything for quite a long time, except the new Rhodes House which is being erected now by Sir Herbert Baker, because we are all too poor. Now, I believe you are going to discuss architectural education to-day, and I think that is much the most important side, in a way, of your Act which has just been passed by the Union Parliament. I am rather afraid, to a certain extent, of these professional Acts; an Act for Doctors, an Act for Architects, and next year there is going to be one for School Teachers, and so on. I am so afraid the public may think that these professional bodies are wanting to protect themselves and to form a sort of closed corporation. I know that is not really your intention, and one side of it I do want to see stressed is the protection of the public from unauthorised people experimenting on our persons or on our homes. That is the side we want to emphasise, and in order that that may be fully brought about, we have got to produce here, and at Capetown, a sufficient supply of well-trained architects that nobody will think

of employing anybody who is not a fully qualified man. That is the way I would like to look upon these things, and not from the point of view of a profession wanting to protect its own members. I have very great pleasure in once more welcoming you all here to-day, and I hope that your deliberations will lead to fruitful results.

THE PRESIDENT-IN-CHIEF: The next item on the Agenda, gentlemen, is a paper from Professor Pearse on "Agricultural and Quantity Surveying Education." We shall be very pleased indeed if Mr. Raikes will join us in listening to this paper this morning.

PROFESSOR PEARSE: Mr. President, Mr. Principal, Ladies and Gentlemen: I welcome this opportunity of meeting so many members from different parts of the Union, to endeavour to explain to them our system of education here, and to get as much support as we possibly can from the various centres; not only support for the school by sending students here, or financially, but getting support in the way of advice and assistance in our courses, because, unless we have the profession solidly behind us, it is not possible to make a really successful department in a University. At least, that is my view, and it has been proved by the fact that the profession here has so splendidly supported this department.

ARCHITECTURAL EDUCATION.

By **PROFESSOR G. E. PEARSE.**

Architectural Education in the Past.

Before dealing with the subject of Architectural Education of the present day I should like to refer briefly to Architectural Education in the Past.

It is clear, from the many records that have come down to us, that the position of the Architect in all ages was one of considerable importance, but we have few records showing the manner in which he was trained.

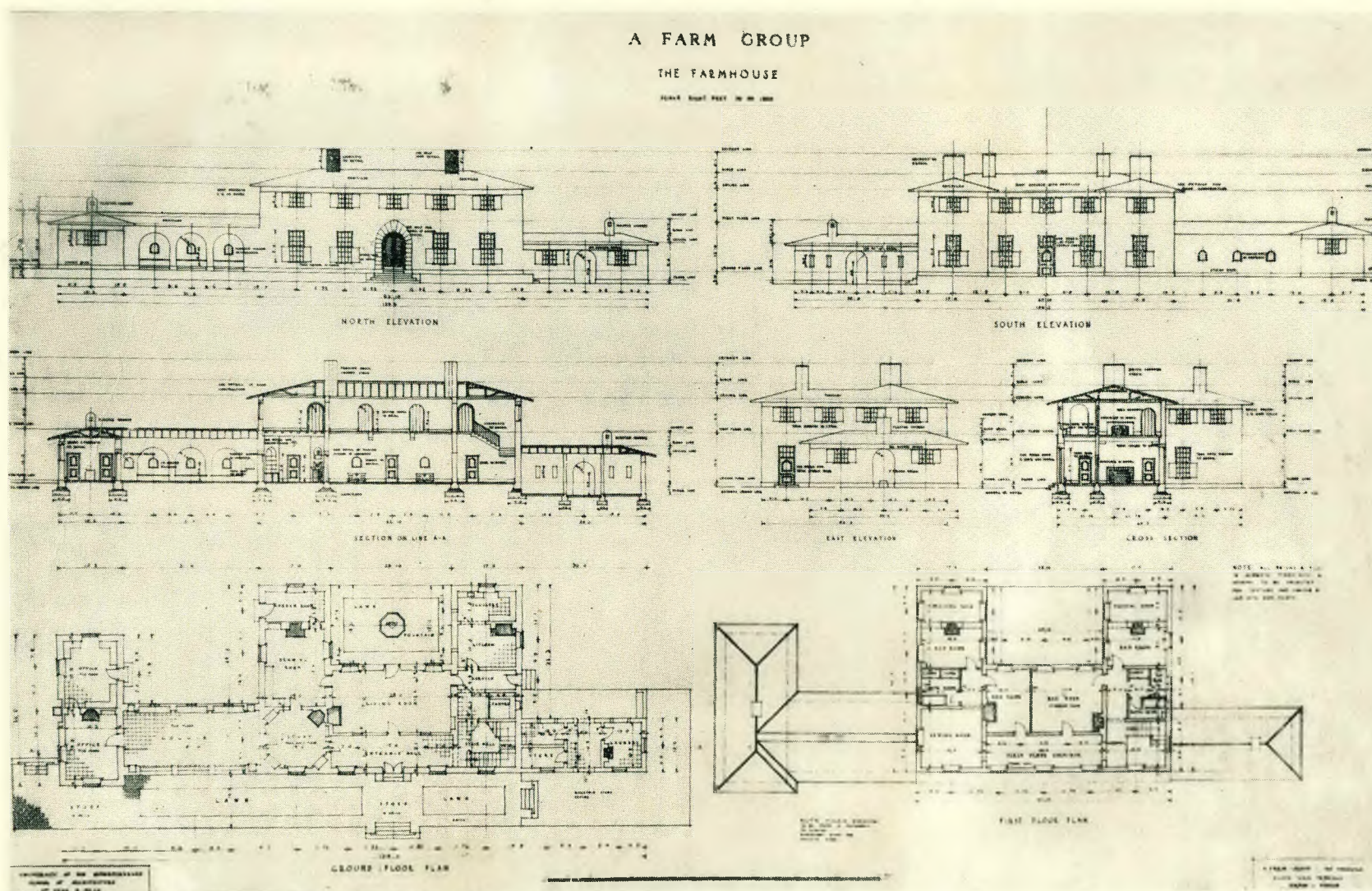
Vitruvius, writing in the first century B.C., outlines the qualifications of an architect in Roman times, and it is evident from his writings as well as those of other Roman writers, well acquainted with Greek civilisation, its art and its literature, that an architect received a sound general education in classical times.

In the first chapter of Vitruvius' work we read: "Architecture is a science arising out of many other sciences, and adorned with much and varied learning: by the help of which a judgment is formed of those works which are the result of other arts. Practice and theory are its parents. Practice is the frequent and continued contemplation of the mode of executing any given work, or of the mere operation of the hands, for the conversion of the material in the best and readiest way. Theory is the result of that reasoning which demonstrates and explains that the material wrought has been so converted as to answer the end proposed. Wherefore the mere practical architect is

not able to assign sufficient reasons for the forms he adopts: and the theoretic also fails, grasping the shadow instead of the substance. He who is theoretic as well as practical, is therefore doubly armed; able not only to prove the propriety of his design, but equally so to carry it into execution."

"An Architect should be ingenious, and apt in the acquisition of knowledge. Deficient in either of these qualities, he cannot be a perfect master. He should be a good writer, a skilful draftsman, versed in geometry and optics, expert at figures, acquainted with history, informed on the principles of natural and moral philosophy, somewhat of a musician, not ignorant of the sciences of both law and physic, nor of the motions, laws, and relations to each other, of the heavenly bodies.

"By means of the first named acquirement, he is to commit to writing his observations and experience, in order to assist his memory. Drawing is employed in representing the forms of his designs. Geometry affords much aid to the architect; to it he owes the use of the right line and circle, the level and the square; whereby his delineations of buildings on plane surfaces are greatly facilitated. The science of optics enables him to introduce with judgment the requisite quantity of light, according to the aspect. Arithmetic estimates the cost, and aids in the measurements of the works; this assisted by the laws of



Third Year.

A FARM GROUP

N. L. Hanson.

Journal of the SA Architectural Institute

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